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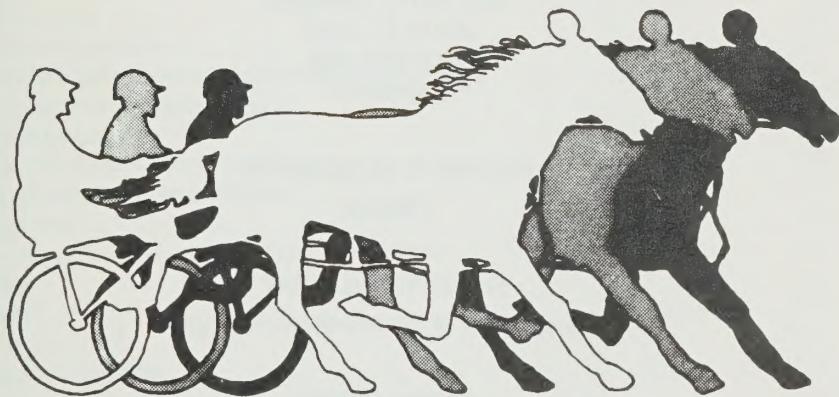
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# Rules of Standardbred Racing

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**Ontario Racing  
Commission  
1986**

## ONTARIO RACING COMMISSION

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## **The Racing Commission Act**

### **Revised Statutes of Ontario, 1980 as amended**

**1.** In this Act,

- (a) "Commission" means the Ontario Racing Commission;
- (b) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council. R.S.O. 1980, c. 429, s. 1.

**2.** The body corporate known as the Ontario Racing Commission, established under *The Racing Commission Act, 1950*, is continued and shall be composed of not fewer than three and not more than seven members appointed by the Lieutenant Governor in Council. R.S.O. 1970, c. 429, s. 2.

**3.** The objects of the Commission are to govern, direct, control and regulate horse racing in Ontario in any or all of its forms. R.S.O. 1980, c. 429, s. 3.

**4.** The members of the Commission shall hold office for a term of not more than three years, but any person is eligible for reappointment. R.S.O. 1980, c. 429, s. 4.

**5.** (1) The Lieutenant Governor in Council shall name one of the members to be the chairman and one of the members to be the vice-chairman.

(2) When the office of chairman is vacant or in the absence of the chairman, the vice-chairman shall act in his place and stead. R.S.O. 1980, c. 429, s. 5.

**6.** (1) At any meeting of the Commission a majority of the members constitutes a quorum, and a majority vote of the members present at any meeting of the Commission determines any question.

(2) The chairman has a casting vote in addition to his ordinary vote. R.S.O. 1980, c. 429, s. 6.

**7.** The Lieutenant Governor in Council may fill any vacancy that occurs in the membership of the Commission. R.S.O. 1980, c. 429, s. 7.

**8.** The Lieutenant Governor in Council shall fix the salaries of the chairman, the vice-chairman and the other members of the Commission. R.S.O. 1980, c. 429, s. 8.

**9.** Repealed

**10.** The salaries and expenses of the members of the Commission and of the officers, clerks and other employees thereof, and generally all costs, charges and expenses incurred and payable in respect of the carrying out of this Act, shall be paid out of the monies appropriated therefore by the Legislature. R.S.O. 1980, c. 429, s. 10.

**11.** The Commission has power,

- (a) to govern, direct, control and regulate horse racing in Ontario in any or all of its forms;

- (b) to govern, control and regulate the operation of race tracks in Ontario at which any form of horse racing is carried on;
- (c) to hold hearings relating to the carrying out of its objects or powers, and to summon any person by subpoena signed by the chairman or by any other member of the Commission, and to require such person to give evidence on oath and to produce such documents and things as the Commission considers requisite in any such hearing;
- (d) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act, by a fine or other penalty or otherwise;
- (e) to make by-laws for the conduct of its business and for the control and direction of its work;
- (f) to license persons to operate race tracks at which horse racing in any of its forms is carried on and to impose such terms and conditions on a licence as the Commission considers expedient;
- (g) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on, and to impose such terms and conditions on a licence, as the Commission considers expedient;
- (h) to fix and collect fees or other charges for licences, prescribe the form thereof and the conditions under which they may be issued;
- (i) to refuse to grant any licence or to suspend or revoke any licence for conduct that the Commission considers to be contrary to the public interest;
- (j) to require registration with the Commission of, and to register colours, assumed names, partnerships and contracts and such other matters and things as the Commission considers expedient;
- (k) to fix and collect fees or other charges for registration under clause j and to prescribe the form thereof and the conditions under which registration may be made;
- (l) to make and promulgate rules for the conduct of horse racing in any of its forms;
- (m) to employ stewards, veterinarians, analysts, secretarial assistants, judges and such other persons as the Commission considers expedient to attend at race meetings on behalf of the Commission;
- (n) to require approval by the Commission of the appointment of race track officials and employees whose duties relate to the actual running of horse races and to compel the discharge for cause of any such official or employee;
- (o) to fix, impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act;
- (p) to require persons licensed to operate race tracks to keep books of account in

a manner satisfactory to the Commission, and to inspect such books at any time;

- (q) to do such things relating to horse racing in any or all of its forms, or to the operation of race tracks at which horse racing is carried on, as are authorized or directed by the Lieutenant Governor in Council. R.S.O. 1980, c. 429, s. 11.

12. The accounts of the Commission shall be audited by the Provincial Auditor or by such other auditor as the Lieutenant Governor in Council may appoint. R.S.O. 1980, c. 429, s. 12.

13. The Commission shall make a report annually to the Minister, containing such information as the Minister may require. R.S.O. 1980, c. 429, s. 13.

14. The Lieutenant Governor in Council may make regulations with respect to any and all matters or things that are considered necessary for the carrying out of this Act. R.S.O. 1980, c. 429, s. 14.

15. (1) Rules for the conduct of horse racing may be promulgated by the Commission under this Act and the Commission may therein delegate to stewards, judges, veterinarians, race track officials, racing association officials, licensing agents or officers of the Commission such of the following powers as the Commission considers expedient,

- (a) to hold hearings relating to the carrying out of its objects or powers;
- (b) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act;
- (c) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on;
- (d) to collect fees or other charges for licenses;
- (e) to impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act.

(1a)- The Commission may adopt by reference, in whole or in part, with such changes as the Commission considers necessary, rules and procedures of racing associations or bodies and may delegate to racing associations or bodies the power to,

- (a) enforce the carrying out and observance of the rules and procedures as adopted or amended
- (b) hold hearings in respect of the contravention of any of the said rules or procedures; and
- (c) impose and collect fines, costs and other penalties for the contravention of any of the said rules or procedures,

and where a power has been so delegated to a racing association or body, it shall have the right to exercise discretion or judgment in relation to the powers delegated.

(1b)- Every person, association or body to whom a power to hold hearings has been delegated under subsection 1 or 1a, may summon any person by subpoena and require any person so summoned to give evidence on oath and to produce such documents and things as may be required for purposes of a hearing.

(2) - Subject to subsection 2b, any person who considers himself aggrieved by a decision of a person delegated by the Commission under a rule made under subsection 1 or by a decision resulting from a hearing held pursuant to a delegation under subsection 1a, is entitled to a hearing by the Commission and, in the case of a hearing, the Commission may exercise its powers and duties under section 11 as if such powers and duties had not been delegated.

(2a)- Where the Commission, after holding a hearing, is of the opinion that the request for the hearing was frivolously made, the Commission may order the person requesting the hearing to pay to the Commission a penalty of no more than \$300 in addition to any other penalty that may be imposed.

(2b)- Where the rules of the Commission, promulgated or adopted, provide for an appeal to an association or body, any person who considers himself aggrieved shall appeal in accordance with the rules before applying to the Commission for a hearing under subsection 2.

(3) - Any order or rule issued or made by the Commission under this Act shall be deemed to be of an administrative and not of a legislative nature.

(4) - For the purposes of a hearing under subsection 2, three members of the Commission, one of whom shall be the chairman or vice-chairman, constitute a quorum.

(5) - The Commission may, on its own motion, review any decision made by a racing association or body pursuant to a power delegated under subsection 1a and may, after affording the parties an opportunity to be heard, confirm the decision reviewed or substitute its own decision in lieu thereof. 1980, c429 S15

## Chapter 1

### MANDATE AND PRELIMINARY

**1.01** The following rules have been enacted and declared to be the official rules of the Ontario Racing Commission and these rules shall apply to all standardbred raceways and participants under the Commission jurisdiction.

**1.02** Unless otherwise specified in any Commission directive, standardbred racing shall be conducted in accordance with these rules and any track rules adopted by the Commission.

**1.03** Should any provision of these rules or any Commission directive conflict with any track rule, the appropriate Commission rule or directive shall govern.

**1.04** Ignorance of the rules will not be accepted as an excuse for their violation.

**1.05** Directives of the Commission shall have all the force and effect of the rules.

**1.06** All definitions of these rules shall apply as well to Commission directives.

**1.07** Every person participating in and every patron of a meeting shall abide by the rules and accept the decisions of the judges, subject to the right of appeal to the Commission, and shall accept as final the decision of the Commission.

**1.08** An agricultural fair, incorporated company or person shall not conduct a race meeting unless formal approval of the meeting has been sought, and the Commission has actually approved the meeting.

**1.09** If any case occurs which is not or which is alleged not to be provided for by the rules, it shall be determined by the Judges or the Commission as the case may be, in such manner as they think is in the best interests of racing. Provided however, the Commission in its absolute discretion may waive the breach of any of the rules, which waiver or breach the Commission does not consider prejudicial to the best interests of racing.

**1.10** The past performance statistics compiled by the Canadian Trotting Association shall be deemed to be the official statistics for the purpose of producing race programs for the use of the standardbred industry and the general public.

**1.11** The records of fines, penalties, driver's statistics and infraction records, race results, purse winnings for horses and participants, and past performance and other statistics compiled by the Canadian Trotting Association shall be deemed to be the official records and statistics for use by the standardbred breeding and racing industry for the support of standardbred racing and breeding.

**1.12** Notwithstanding Rule 3.02, the Canadian Trotting Association shall

license trainers, drivers and other officials and participants as designated by the Commission.

1.13 The Canadian Trotting Association shall supply to all member or non-member tracks which have entered into a contract for services all their Association past performance statistics and any records of fines, penalties, drivers' statistics and infraction records, race results, purse winnings for horses and participants and other statistics used by the Standardbred Racing and Breeding Industry in Ontario and shall submit for approval to the Ontario Racing Commission annually the rate schedule for the provision of these services.

1.14 The Commission has power, as it may think proper, to make and, if necessary, to vary all arrangements for the conduct of a meeting.

## Chapter 2

### DEFINITIONS

2.01 "Act" mean the Racing Commission Act.

2.02 "Added Money Event" means stakes, futurities, early closing events and late closing events.

2.03 "Age" of a horse shall be reckoned from the first day of January of the year of foaling, except for horses born in November and December of the years 1970 to 1980 inclusive, in which case the age shall be reckoned from January 1st of the succeeding year.

2.04 "Association" means a person, partnership, association or corporate body licensed by the Commission to conduct a race meeting.

2.05 "Breeder" means the owner or lessee of the dam of a horse at the time she was served.

2.06 "Chief Test Inspector" means the official approved pursuant to the Race Track Supervision Regulations under the Criminal Code and who is directly responsible to the Canada Department of Agriculture and to the Judges for the taking of official samples from the horses and for the handling and shipping of such samples.

2.07 "Claiming race" means a race in which any horse drawn therein may be claimed for a designated amount in conformance with the rules.

2.08 "Classified race" means a race regardless of the eligibility of horses, entries being selected on the basis of ability or performance.

2.09 "Conditioned race" means an overnight event to which eligibility is determined according to specified qualifications.

2.10 "Clear Days" where a number of days are expressed to be clear days, they shall be reckoned exclusively of the first day and exclusively of the last day. (See also 2.13).

2.11 "Commission" means the Ontario Racing Commission.

2.12 "Dash" means a race decided in a single trial.

**2.13** "Days" where a number of days not expressed to be clear days is prescribed, they shall be reckoned exclusively of the first day and inclusively of the last day. (See also 2.10).

**2.14** "Declaration" means the naming of a particular horse to a particular race as a starter.

**2.15** "Director" means the Director of the Ontario Racing Commission.

**2.16** "Early Closing Event" means a race to which nominations close at least six weeks preceding the date of the race. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments are forfeits. Time bars or track qualifying standards shall not be used as conditions for early closing races.

**2.17** "Elimination Heats" means heats of a race split according to the rules to qualify the horses for a final heat.

**2.18** "Entry" means two or more horses in the same race which are, owned or trained by the same person, or trained in the same stable by the same management.

**2.19** "Extended Meeting" means any association in the Province of Ontario which conducts a race meeting in excess of six (6) days in any consecutive twelve (12) month period with pari-mutuel wagering.

**2.20** "Feature Wagering" means wagering as approved in Ontario by the Commission and as deemed pursuant to the Race Track Supervision Regulations of the Criminal Code.

**2.21** "Futurity" means a stake in which the dam of the competing animal, or the animal itself is nominated either when in foal or during the year of foaling.

**2.22** "Handicap" means a race in which performance, claiming price, sex or distance allowance is made. Post positions for a handicap may be assigned by the Racing Secretary. Post positions in handicap claiming races shall be determined by claiming price prior to application of allowances. .

**2.23** "Heat" means a single trial of a race to be decided by a series of heats.

**2.24** "Horse" means a horse, mare, colt, filly or gelding.

**2.25** "In Harness" means when a race is made to go 'in harness' it shall be construed to mean that the performance shall be to a sulky. Only sulkies of the conventional dual-shaft and dual-hitch type as hereinafter described shall be permitted to be used in any race. A conventional type sulky is one having two shafts which must be parallel to, and securely hitched on each side of the horse. No point of hitch or any part of a shaft shall be above a horizontal level equal to the lowest point of the horse's back. It shall be the responsibility of the owner or trainer to provide every sulky used in a race with uniform coloured or colourless wheel discs on the inside and the outside of each wheel.

**2.26** "Judge" means a person appointed by the Commission to carry out all of the duties and responsibilities specified by the rules and the Commission.

**2.27** "Judges List" means a list of horses that are refused declaration, until removed therefrom.

**2.28** "Late Closing Event" means a race to which nominations close less than six weeks and more than five days before the date on which the race is to be contested. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments are forfeits. Time bars or track qualifying standards shall not be used as conditions for late closing races.

**2.29** "Length of Race and Number of Heats" means races or dashes shall be given at a stated distance in units not shorter than a sixteenth of a mile. The length of a race and the number of heats shall be stated in the conditions.

**2.30** "Maiden" means a horse that has never won a heat or race at the gait at which it is entered to start, and for which a purse is offered. Races or purse money awarded to a horse after the "official sign" has been posted shall not be considered winning performance or affect the status of a maiden. Should "Maiden" finish first in a race for which a purse is offered and is subsequently disqualified it shall not lose its maiden classification.

**2.31** "Match Race" means a race which has been arranged and the conditions thereof agreed upon between contestants.

**2.32** "Matinee Race" means a race where an entrance fee may be charged and where the premiums, if any, are other than money.

**2.33** "Nomination" means the naming of a horse or in the event of a futurity the naming of a foal in utero, to a certain race or series of races, for a fee.

**2.34** "Non Extended Meeting" means any association in the Province of Ontario which conducts a race meeting of less than seven (7) days in any consecutive twelve (12) month period with or without pari-mutuel wagering.

**2.35** "Official Chemist" means a graduate in chemistry from a university of recognized standing approved pursuant to the Race Track Supervision Regulations under the Criminal Code.

**2.36** "Official Sample" means a sample of blood, saliva, urine or other bodily substance that has, in accordance with the Race Track Supervision Regulations of the Criminal Code, been obtained from a horse, sealed and identified.

**2.37** "Official Veterinarian" means a graduate in veterinary medicine from a university of recognized standing, licensed to practice in Ontario and who is employed by the Commission.

**2.38** "Overnight Event" means a race for which declarations close not more than three clear days, omitting Sundays, Christmas Eve, and Christmas Day, before the date on which it will be contested. In the absence of conditions or notice to the contrary, declarations must close not later than 12 noon of the day preceding the race.

**2.39** "Owner" is the full owner, part owner, or lessee of a registered standardbred horse that has qualified or has been programmed to race at an Ontario raceway within the preceding six months.

**2.40** "Participant" means any person or corporation participating directly in standardbred horse racing and who, under the rules, is required to be licensed by the Commission.

**2.41** "Post Position" means the position assigned or drawn for a horse for the start of a race.

**2.42** "Post Time" means the time set for the arrival at the starting point of the horses in a race.

**2.43** "Qualifying List" is a list of horses that are required to go a qualifying race or races.

**2.44** "Qualifying Race" means a race in which a horse must establish its ability to participate at a race meeting consistent with the qualifying standards established for that class of horse.

**2.45** "Race" means a contest of speed among registered Standardbred horses racing at a trotting or pacing gait and conducted in accordance with these rules.

**2.46** "Raceway" means a race track located in the Province of Ontario conducting standardbred racing and classified and licensed annually by the Commission.

**2.47** "Registration" means that all matters relating to the registration of standardbred horses, unless otherwise provided for herein, shall be governed by the rules and regulations of the Canadian Standardbred Horse Society.

**2.48** "Retention Area" means that area within the grounds of a raceway designated for the purpose of securing official samples.

**2.49** "Rules" means the Commission Rules of Standardbred Racing and any Track Rules adopted by the Commission.

**2.50** "Sex" means mare, filly, spayed mare or filly, colt, stallion, ridgling, or gelding.

**2.51** "Singular, Plural" means words in the singular number include the plural, and the plural number include the singular.

**2.52** "Stable Area" means those places within the property of a racing association wherein is or are the stables, track kitchen, racing offices, training areas, including paddock and the winner's enclosure.

**2.53** "Stable or Multiple Ownership Manager" means the operating executive of a racing stable or multiple ownership who is not eligible to be licenced under the categories of Owner, Trainer or Driver.

**2.54** "Stake" means a race which will be contested in a year subsequent to its closing in which all monies given by the sponsor or track conducting same is added to all nomination, sustaining and starting payments to determine the purse.

**2.55** "Supervisor" means the Commission Supervisor of Standardbred Racing.

**2.56** "Sustaining Fees" includes interim, declaration and starting fees or payments.

**2.57** "Track Rules" means rules posted by associations to govern conduct of racing and participants at that association's raceway. Track rules may be adopted in whole or in part by the Commission.

**2.58** "Walk Over" means that when only horses in the same interest start, it constitutes a "walk over". In a stake or futurity, a "walk over" is entitled to the purse. To claim the purse the entry must start and go once over the course.

## Chapter 3

### LICENCES

**3.01** A) An association shall not:

- (i) Operate a raceway at which racing is conducted without applying for a licence, race dates and the post time for the first race of each program, and without having them approved by the Commission.
- (ii) Change its race dates or the post time for the first race on any race date by more than 30 minutes, without having such change approved by the Commission.
- (iii) Operate a raceway without payment in advance of monthly program fees for the days upon which racing is to be conducted by the Association.

(B) The Commission:

- (i) Will not approve race dates for December 24th and December 25th of any year.
- (ii) Will only waive daily program fees for cancelled programs of racing upon application for the following reasons:

2(a) By Act of God;

2(b) Disruption of racing caused by labour or contract disputes;

2(c) When race date allocations are changed by competing jurisdictions which affect the marketing area of an Ontario track.

**3.02** A person shall not participate in the affairs of an Association as Director, General Manager, Officer, Agent, or Employee of such association without first receiving a licence from the Commission, nor shall any person participate in racing as an Official, Owner, Driver, Trainer, Groom, Tradesperson, or Veterinarian, nor shall anyone practice his or her profession, trade, occupation, or calling including Concessionaire, pari-mutuel employee, unless such persons have applied for and been issued a Commission licence classified in the appropriate category. An association may admit to its grounds the holder of a licence to enable the licensee to have access to the area where the licensee is obliged to perform his/her duties. A licence will not be required for the employee of

a company, partnership, or person with whom the association has an agreement to supply goods or services, with the permission of the Supervisor of Standardbred Racing, or those participants exempted under Rule 3.05(d).

**3.03** (a) An applicant for a licence shall complete a written application, pay any fee required by these rules, submit satisfactory evidence of identity, including finger prints and photographs, and furnish evidence of financial responsibility; and may be required to appear before the Commission and satisfy that he or she is a fit and proper person to receive a licence. Every person licensed by the Commission is deemed to have agreed to abide by the conditions set out in the application for the licence, the licence itself, the Act, and these regulations.

(b) In an emergency situation a licensed trainer may apply for a temporary licence status on behalf of an owner he represents by completing an Application for Standardbred Licence Form (for example John Doe, Owner, per Richard Doe, Trainer). A non-refundable fee of \$10.00 shall be charged for such temporary licence status. The temporary licence status shall be revoked 14 clear days from the date of issuance of the temporary licence status, or upon receipt of a completed application form and payment from the owner, whichever comes first. In any event, the licence must be completed and paid for within the next 30 clear days following the issuance of the temporary licence.

**3.04** A licensee must advise the Commission in writing of a change in permanent address within ten days of such change. Failure to do so may result in a fine or suspension.

**3.05** (a) The annual licence fee, for licences valid in stable areas, to be paid to the Commission by persons actively participating in racing are as follows:

Stable or Multiple Ownership .....	\$ 30.00
Owner-New .....	25.00
Owner-Renewal .....	15.00
Driver .....	15.00
Trainer .....	15.00
Stable or Multiple Ownership Manager .....	15.00
Groom .....	5.00
Veterinarian .....	25.00
Tradesperson .....	10.00
Occupational 5.00 Fingerprint Fee (new applicants only) .....	25.00

(b) The tri-annual licence fees, for licences not valid in stable areas to be paid to the Commission by persons employed by the associations are as follows:

Pari-mutuel Employees .....	\$ 15.00
Occupational 15.00 Fingerprint Fee (new applicants only) .....	25.00

(c) The following miscellaneous fees are payable when applicable:

Claiming Certificates .....	\$ 10.00
Duplicate Licences .....	5.00

(d) At Class III and IV raceways, pari-mutuel and non-stable area employees, other than racing officials, are exempted, at the option of the Association, from formal licensing but, for the purpose of these rules, are deemed to be licensees of the Commission.

**3.06** An employee or licensee of the Commission or employee of any association shall not give to anyone, directly or indirectly, for reward or any other consideration, any information or advice pertaining to a race for the purpose of influencing any person, or that would tend to do so, in the making of a wager on any horse in any race. In the case of association employees this shall not apply to selections which appear in the official program, the media, or other approved publication.

**3.07** No one shall enter the stable area of an association where horses are stabled unless he or she is an official, employee or licensee of the Commission, an employee of an association or one whom the Commission or the association has issued with credentials attesting to his or her right to enter such stabling area. Licensed owners and trainers participating at that track may sign in guests, unless such are unacceptable to the Commission or the association.

**3.08** The Commission may refuse to grant any licence and may suspend or revoke any licence for violation of the rules or for conduct that the Commission considers to be contrary to the public interest. The Commission may reject the application for a licence or may revoke a licence if it finds that such applicant or licensee is or has been consorting with known criminals, bookmakers, touts, or other undesirable persons or is or has been a known criminal, bookmaker or tout.

**3.09** The Commission may suspend, revoke or refuse to issue the licence of any owner, trainer, or other participant who has accumulated unpaid obligations relating to racing, become bankrupt, or otherwise displayed financial irresponsibility reflecting on the sport. In the case of a licensee who has become bankrupt, the Commission may licence such participant to work for wages for another licensed participant. However, the bankrupt licensee may not carry on his or her trade or calling as an independent business or operate a public stable without the permission of the trustee in bankruptcy and the Commission.

**3.10** All rulings of Racing Boards, Commissions, other recognized racing bodies or gaming commissions whether standardbred, thoroughbred, quarter-horse, greyhound or other gaming enterprises may be honoured by the Commission as taking effect in Ontario, and all Associations and their officials and employees may honour such rulings and rulings of other racing jurisdiction in Canada.

**3.11** Persons appointed as authorized agents, unless otherwise licenced by the Commission, shall be licenced as Stable or Multiple Ownership managers.

**3.12** An "authorized agent" is a person appointed by a licensee on whose behalf he or she is acting as agent. The appointment must be made by a document

executed in writing, specify the authorities delegated to the agent, and be available for presentation when requested by an official. A copy of this document shall be filed with the Commission and any changes to, or revocation of such appointment by the issuer must also be filed immediately with the Commission.

**3.13** A licence becomes invalid if the licensee ceases to be employed or to act in the capacity named in the licence and that licence shall be surrendered to and retained by the Commission.

## Chapter 4

### SUPERVISOR OF STANDARDBRED RACING

**4.01** The Supervisor of Standardbred Racing shall supervise all standardbred racing in the Province of Ontario as a representative of the Commission and the duties shall include, but not be limited to, the following:

- (a) in the performance of the duties, have unrestricted access to all buildings, stables, rooms and all other places within the grounds of any association;
- (b) issue orders in the name of the Commission, subject to appeal to the Commission;
- (c) make such reports to the Commission as it demands or as he or she may see fit, and supervise, in the performance of their duties, all Commission and association officials and employees; and
- (d) act as supervising investigator for the Commission, when so required.

**4.02** The Supervisor of Standardbred Racing may at his or her discretion detail judges or other persons to instigate investigations, searches, seizures or hearings.

## Chapter 5

### JUDGES AND RACING OFFICIALS

**5.01** At an extended race meeting, except in the case of an emergency, there shall be three judges employed and appointed by the Commission, one of whom shall be designated by the Commission as Senior Judge under whose supervision the judges shall, collectively, carry out all the duties and responsibilities specified in the rules. All decisions of the judges shall be determined by majority vote. In the case of an emergency and only two judges are officiating, the senior judge or the judge designated as senior judge by the Director or Supervisor of Standardbred Racing, shall have in addition to the regular vote, a casting vote.

**5.02** At a non-extended race meeting there shall be three judges employed by the association, one of whom shall be accredited as a judge as per Rule 5.05, under whose supervision the judges shall, collectively, carry out all the duties and responsibilities specified in the rules of regulations of the Canadian Trotting Association. All decisions of the judges shall be in accordance with the rules and

regulations of the Canadian Trotting Association and determined by majority vote. All fines assessed at non-extended race meetings shall accrue to the Canadian Trotting Association.

**5.03** At all extended pari-mutuel race meetings there shall be the following licensed racing officials, nominated by the association and approved by the Commission before commencing their duties;

- (a) Race Secretary
- (b) Timers
- (c) Chart Maker
- (d) Starter
- (e) A patrol judge or patrol judges in accordance with rule 34.01.
- (f) Paddock Judge
- (g) Equipment Inspector/Horse Identifier

There may be the following optional licensed officials:

- (h) Assistant Race Secretary
- (i) Placing Judges and the following officials required in accordance with the Racetrack Supervision Regulations of the Criminal Code:
- (j) Chief Test Inspector and Test Inspectors.

**5.04** Once approved by the Commission, there shall be no substitution of judges or racing officials except in an emergency situation and then only after the approval of the Supervisor of Standardbred Racing.

**5.05** A person, unless accredited by the Canadian Trotting Association, will not be licenced by the Commission in the following categories:

- (a) Judge
- (b) Race Secretary
- (c) Assistant Race Secretary
- (d) Starter (accredited Starters are recognized as accredited Patrol Judges)
- (e) Paddock Judge
- (f) Patrol Judge

**5.06** An association approved to conduct a race meeting shall submit to the Commission a list of officials thirty (30) days prior to the commencement of racing in any calendar year.

**5.07** A racing official shall not occupy or serve, without the consent of the Commission, in more than one official position and then only if the combined duties can be performed efficiently and adequately and without conflict of responsibility. Subject to ratification by the Director, the Judges may approve the filling of any emergency vacancy of an official position.

**5.08** A racing official shall not engage in any employment or activities at a race track during the conduct of an approved race-meeting other than the

employment and activities for which he or she has been approved by the Commission.

**5.09** A person having an interest in the result of a race by reason of ownership in a participating horse, wagering or otherwise, shall not act in any official capacity in connection with the running of a race.

**5.10** An official may be fined or suspended, at any time by the Director for cause. When such action is taken, the Director shall make a report to the Commission.

**5.11** Officials, Commission and association employees involved directly in the preparation, judging or outcome of a race are prohibited from racing horses they own wholly or in part at tracks where employed or officiating. All licenced officials are prohibited from wagering, directly or indirectly, on the outcome of a race at a track where they are officiating.

**5.12** It is the duty of all racing officials and employees of the Commission, or association, to promptly report to the judges all observed violations of the rules.

**5.13** The judges have the power, and it is their duty, to regulate and govern the conduct of all racing, and all participants. If any participant refuses to comply with the directions of the judges, he or she shall be fined, suspended, or expelled.

**5.14** In the absence of the Supervisor of Standardbred Racing the judges are the representatives of the Commission on the grounds of an association when it is conducting a race meeting and they shall:

- (a) issue orders in the name of the Commission, subject to appeal in accordance with the rules;
- (b) make such reports to the Supervisor of Standardbred Racing as the Supervisor may see fit. Supervise, in the performance of their duties, all Commission and association officials and employees;
- (c) the judges will report to the Supervisor of Standardbred Racing unless otherwise instructed.

**5.15** In the performance of their duties, the judges shall have reasonable control over and unrestricted access to all buildings, stables, rooms and all other places within the grounds of any association.

**5.16** In all matters pertaining to racing, the orders of the judges shall supercede the orders of the officers, directors and officials of the association.

**5.17** Before the judges order a disqualification in any race, they shall view the film patrol or video tape, when available, of the race in question.

**5.18** Before the judges impose a penalty on any driver in a race, they shall view the film patrol or video tape, when available, of the race and shall interview such drivers they deem necessary and shall consider any information concerning the race that can be ascertained. Then, and then only, may a hearing be convened.

**5.19** Any driver charged with a violation of the rules shall be given an

opportunity of appearing before the judges and hearing all witnesses against him, and of seeing the film patrol or video tape, when available, of the race before any penalty is imposed by the judges.

**5.20** A special showing of the film patrol or video tape, when available, of any race shall be ordered by the judges upon the written request of any owner, driver or trainer who had a horse start in such a race, and such showing shall be held at a time fixed by the judges as soon as practical after the race in question. A special showing of the film patrol or video tape, when available, of any race also shall be ordered by the judges upon request in writing of a member of the public which showing shall be at a time and place fixed by the judges. At least one of the three judges shall attend all showings of the film patrol or video tape and shall explain to those present at the showing what happened in the race as reflected by the film.

**5.21** When an alleged offence by or against a participant is being investigated by the judges, such participant may be represented by any person of his or her choice.

**5.22** The judges may impose any or all of the following penalties for conduct prejudicial to the best interests of racing, or for violation of the rules:

- (a) refuse an offender admission to the grounds of an association;
- (b) expel an offender from the grounds of an association;
- (c) impose a fine or a suspension or both.

**5.23** The judges may:

- (a) Declare any horse disqualified or ineligible to race for violations of the rules or for noncompliance with the conditions of any race in which the horse has been declared.
- (b) Demand proof that a horse in any particular race is eligible or that it is not owned or trained in whole, or in part, by a suspended person or has been declared to race by a suspended person. In the absence of satisfactory proof the judges may scratch the horse.

**5.24** The judges, the Supervisor of Standardbred Racing or his or her authorized representative, may interrogate any licensee and may require him or her to make statutory declarations or statements in writing and provide documentary evidence of any agreements or transactions, financial or otherwise, respecting to any suspected crime or violation of these rules, or any matter which, in the opinion of the Commission or the judges, is not in the best interest of racing.

**5.25** The judges may allow a mistake on a declaration or nomination form or condition sheet to be corrected, if satisfied that no fraud was intended.

**5.26** The judges may place the name of any horse on the judges' list for any reason they may deem to be proper. During the time a horse's name is on such a list it shall not race, nor shall it be entered in any race, except that it may be

nominated to a stakes race. Only the judges shall remove a horse's name from the judges' list.

**5.27** The judges may refuse the entry of any horse for any reason they consider proper. A horse so refused shall be placed on the judges' list.

**5.28** The judges may, at any time, place a horse in the temporary charge of a person they select and the owner shall be responsible for any reasonable costs incurred.

**5.29** The judges may excuse a horse from starting for any reason they consider proper, and in accordance with the rules.

**5.30** No ruling made by the judges or by the Board of Appeal or by the Commission with regard to distribution of purse money or the placing of horses in the order of finish, after the race has been declared official shall have any bearing on the pay-out prices or the distribution of pari-mutuel pools. If an incorrect order of finish is posted, declared official and then ruled to be in error, Race Track Supervision Regulations of the Criminal Code respecting pay-out prices shall apply.

## Chapter 6

### VIOLATIONS, FINES, SUSPENSIONS & EXPULSIONS

**6.01** Except as expressly stated in these rules, no participant shall be fined, suspended or expelled without a hearing by the appropriate official or officials.

**6.02** Any person charged with a violation of the rules shall have the right to waive a hearing by completing and signing a "Waiver of Hearing Form; after that person has been advised of the specific rule violated and that a penalty will be imposed. The signing of the "Waiver of Hearing Form" shall constitute a plea of guilty to the offence as charged, but shall not deny the penalized person the right to appeal the severity of the sentence.

**6.03** In the event that the Judges require a participant to appear before them and they are unable to notify the participant, they may suspend such participant if it is deemed in the best interest of the sport OR having notified a participant and he or she fails to appear, the Judges may suspend or fine such participant.

**6.04** In the name of the Commission, the Director may charge any person with a violation of the rules and impose fines and suspensions for any violation of the rules of any matter deemed not to be in the best interest of the sport, subject to appeal to the Commission in accordance with the rules.

**6.05** Any participant charged with a violation of these rules, shall be notified by the official of the rules allegedly violated. A hearing will be convened at a time and place determined by the official. In the event the violation occurs during the course of a race meeting, no hearing shall take place without the consent of the defendant, until at least 24 hours have elapsed to enable the defendant time to

prepare a defence, summon witnesses and arrange to be represented by counsel or any other person of his or her choice.

**6.06** Any participant having been fined, suspended or expelled, may be advised verbally by an official, which shall constitute proper notice. In any event, written or printed notice thereof shall be delivered to the person penalized, notice shall be posted immediately at the office of the racing association and notice shall be forwarded immediately to the Commission and the Canadian Trotting Association.

**6.07** Where the penalty is for a driving violation and does not exceed in time a period of five days, the driver shall complete the engagement of all horses declared in before the penalty becomes effective. Such driver may only drive in stake, futurity, early closing or late closing races during a suspension of five days or less, but the suspension will be extended one day for each date on which he or she drives in such a race.

**6.08** Fines imposed in accordance with the rules are payable forthwith upon their imposition and before the participant races again, unless there has been an appeal filed. A licensee who fails to pay such fine may be suspended until the fine is paid, and such suspension will result in a penalty of not less than \$25.00.

**6.09** Whenever the penalty of suspension is prescribed in these rules, it shall be construed to mean an unconditional exclusion and disqualification from the time of receipt of notice of suspension from any participation, either directly or indirectly, in the privileges and uses of the course and grounds of an association during the progress of a race meeting, unless otherwise specifically limited when such suspension is imposed, such as a suspension from driving.

**6.10** A suspension or expulsion or denial of a licence of either a husband or wife may apply in each instance to both the husband and wife. The suspension becomes effective when notice is given unless otherwise specified. A person may be suspended, expelled or denied a licence under this rule if it is determined that such person's spouse would be denied a licence upon application, and the Commission reserves the right to require such person's spouse to complete and submit an application in order to make such determination.

**6.11** A horse shall not be eligible to be declared to, or started in any race if owned or controlled in whole or in part by a suspended, expelled or unlicenced person. In the case of husband and wife, no declaration shall be accepted from husband or wife while either is under suspension or expulsion. Husband and wife, unless living separate and apart pursuant to a decree, order of judgment or competent tribunal, or pursuant to a written agreement, shall be considered a single entity and any ruling which applies to one shall equally apply to the other. This rule may be waived by the judges should the spouse of the disqualified person present documented evidence that ownership and racing of his or her horses is independent of, or not under the control or influence of the suspended or

expelled spouse. In the event a nomination or declaration is made by or for a suspended or expelled person or horse, the owner of the horse shall be held liable for any nomination, sustaining or starting fees thus contracted and the horse shall not be eligible to compete.

**6.12** Any attempt to violate any of the rules of the Commission falling short of actual accomplishment, shall constitute an offence.

**6.13** Any person who pays any amount or charge due the Commission which upon presentation is protested, payment refused, or otherwise dishonoured, shall by order of the Director, be subject to a fine not exceeding the amount in default and shall be suspended until the amount and fine are paid to the Commission.

**6.14** A participant obtaining purse money through fraud or error, shall surrender or pay same to the Commission, upon demand, or he or she shall be suspended until such demand is complied with and such purse money shall be awarded to the party justly entitled to the same.

**6.15** Any penalty imposed by the judges can be removed or modified by the Director upon recommendation of the judges.

**6.16** Any participant who violates any of the rules shall be liable upon conviction to a fine or suspension, or both, or expulsion from racing, unless otherwise limited in the rules.

**6.17** Whenever a trainer is suspended, with the consent of the judges at that meeting, any horses trained by him or her or under his or her care but not owned wholly or in part by him or her may be released to the care of another licensed trainer and may race.

## **Chapter 7**

### **RACING ASSOCIATIONS**

**7.01** Associations conducting extended meetings shall provide a paddock which shall be policed and records maintained of all persons entering and leaving. The paddock must be constructed and policed so as to exclude unauthorized persons. Associations failing to comply with this rule, after notice from the Director, shall be subject to a fine.

**7.02** Associations shall provide in the paddock the following:

- (a) the services of a blacksmith during racing hours
- (b) suitable extra equipment necessary to prevent unnecessary delay to the racing program;
- (c) direct communication facilities to the judges' stand.

**7.03** As a condition to its Race Track Operator's Licence, an Association shall provide:

- (a) A judges' stand, acceptable to the Commission, to be located and constructed so as to afford the judges an unobstructed view of the entire racing strip and

having adequate facilities acceptable to the Commission for the carrying out of their duties. Such adequate facilities to include washroom, outside telephone line and speaker phone to the paddock.

- (b) Adequate security measures to ensure that unauthorized persons do not gain entrance to the judges' room in the judges' stand unless invited by the judges.
- (c) Offices within the grounds of each raceway for the use and at the disposal of the Commission's designated representatives for the purposes of licensing and for the judges to carry out their pre and post race duties. These facilities are to be acceptable to the Commission and will be subject to inspection at any time.

**7.04** At meetings where pari-mutuel wagering is conducted, associations shall make available to the public a printed program which shall provide:

- (a) name, sex, colour, age and sire and dam of horses;
- (b) name of owner or lessee of horses;
- (c) driver's first name and last name and colours;
- (d) in claiming races the price for which the horse may be claimed must be indicated;
- (e) gross purse money for each race to be designated in dollars; At extended meetings the following additional information will be furnished:
- (f) the last six performance lines, from the official chart, if the horse has started six times at that gait.
- (g) indicate drivers racing with Provisional licences;
- (h) summary of starts in purse races, earnings, and best winning time for current and preceding year. The best winning time may be earned in either a purse or non-purse race; however, it may not be earned in a time trial. Qualifying races are not to be counted as a start or shown on the summary, but a winning time in qualifying races must be shown in summary and so designated;
- (i) the name of the trainer. If the trainer is an assistant to a head trainer, the name of the assistant trainer shall be shown on the program and the name of the head trainer shall be shown in parenthesis;
- (j) indicate pacers that are racing without hopples. In mixed races the gaits of each horse starting therein shall be indicated with the words "pacer" or "trotter" beside their names;
- (k) uncharted races contested in heats or more than one dash may be consolidated on a single performance line and shall carry date, place, time, driver, finish, track conditions and distance, if race is not at one mile.
- (l) The fact that a mare has been spayed when such information is made available to the racing association. At non-extended meetings the program shall contain at least a current summary on each horse to include the number of starts, firsts, seconds, and thirds in the current year and also the earnings and best winning time for the current year.

(m) At least weekly, a list of abridged rulings issued by the judges at that raceway plus any abridged Commission rulings as directed by the Commission Administration.

**7.05** Races shall not be conducted until, in the opinion of the judges, the association has caused the racing strip to be suitably prepared for racing.

**7.06** Associations shall not post or enforce track rules which are in conflict with any provision contained in the rules. Track rules shall be posted in the paddock and offices of the race secretary and the judges. The judges may impose a fine or suspension, or both, for a violation of track rules adopted by the Commission.

**7.07** Associations must provide forty-eight hours notice to any participant to vacate from the grounds any horse that is legally upon their premises.

**7.08** Members of the Commission and its designated representatives in the performance of their duties, shall have the right of full and complete entry to all parts of the grounds and buildings of any association, whether or not racing is being conducted by the association at the time.

**7.09** Any violation of the rules by an association licensed by the Commission to conduct racing may also subject the officers of the association to a penalty.

**7.10** An association shall conduct a race meeting according to the rules, conditions on licences, and any other applicable laws or regulations.

**7.11** An association shall maintain complete records of all races in the form that the Commission prescribes and shall retain them in good order for a period of not less than one year following the close of a race meeting.

**7.12** An association shall provide and equip a first aid room and have present on their premises or within easy call, a licensed physician, registered nurse or qualified attendant and shall also have present during qualifying races and during the regular racing program an ambulance or mobile first aid vehicle, equipped and operated by the St. John Ambulance Brigade or equivalent, for participants and patrons.

**7.13** An association shall have a horse ambulance available in the stable area on race days for the removal of injured animals.

**7.14** An association is responsible for the general supervision and security of its meeting.

**7.15** An association shall provide a fire guard for all stables during the period for which race dates have been granted.

**7.16** An association shall submit all track rules to the Commission for approval.

**7.17** Any racing association allowing a suspended, disqualified or excluded person or horse to participate in racing after notice from the Director, shall be subject to a fine not exceeding five hundred dollars (\$500.00) for each offence.

**7.18** An association during the hours of racing should not permit any

unlicensed children to be admitted to the stable area unless in the custody of an adult and such children must remain in the custody of an adult at all times while in the stable area. For the purpose of this rule children or child shall be anyone under 16 years of age.

**7.19** Public telephones and all private telephones which are permitted on the grounds by management, with the exception of Racing Association, Ontario Racing Commission, Canadian Trotting Association and the Press telephones, are to be securely locked during the interval each day between one hour before post time of the first race until after the last race.

## Chapter 8

### COMMISSION VETERINARIANS AND OTHER VETERINARIANS

**8.01** The Commission Veterinarians shall be those veterinarians appointed by the Commission to officiate at extended race meetings.

**8.02** The Commission Veterinarian shall:

- (a) serve as a professional advisor and consultant to the Ontario Racing Commission and its staff on veterinary matters including all regulatory aspects of the application and practice of veterinary medicine at the track;
- (b) examine or observe each horse that is to race, at one or more of the following times and locations:
  - (i) in the horse's own stall
  - (ii) in the paddock
  - (iii) during a warm-up on the track prior to the race
  - (iv) during the parade to the post
  - (v) during the race
  - (vi) after the race
  - (vii) at any other time considered appropriate;
- (c) if in his or her opinion any horse is unfit, unsound, or not ready for racing, immediately report to the judges and have the horse scratched.
- (d) be continuously available in the race track area from the time the horses enter the paddock until the last race is completed;
- (e) maintain a list called the Veterinarians' List (Long Term or Short Term - see Rules 20.01 and 20.02) on which the Commission Veterinarian shall enter the name of any horse considered unfit, unsound, or not ready for racing. A horse on the Long Term List shall be refused declaration until a Commission Veterinarian removes its name from the list. Horses on the Short Term List are automatically removed after five (5) clear days in accordance with Rule 20.04.

**8.03** During the period of their employment, the Commission Veterinarians

shall not diagnose, treat or prescribe for any horse entered to race that day. For a period of 2 hours prior to first post time and throughout that racing program, the Commission Veterinarian shall not diagnose, treat or prescribe for any horse except in case of an emergency when they may do so without compensation of any kind, except for out of pocket expenses.

**8.04** A Commission Veterinarian shall inspect, as quickly as possible, all horses which have been involved in an accident during a race and, if necessary, provide appropriate emergency treatment.

**8.05** If in the opinion of a Commission Veterinarian an injured horse should be destroyed, he shall destroy the horse quickly, humanely, and out of sight of the public unless any delay will prolong the suffering of the horse.

**8.06** Any owner or trainer whose horse has been placed on the Long Term Commission Veterinarians' List may have a veterinarian certify in writing that the horse is racing sound prior to the horse being declared in, and file such certification in writing with the Commission Veterinarian at the raceway where the horse is declared in to race.

**8.07** In any case where a horse has visibly bled during a race or a workout to the knowledge of one of the Commission Veterinarians, the horse may be pre-race medicated, provided that the administration is of a substance which is a coagulant or other medicament recognized as a treatment to stop bleeding, and is also not included in the group of prohibited drugs under the Race Track Supervision Regulations of the Criminal Code. The administration of the medication must be done by a licensed veterinarian who shall report all details in writing to the Commission Veterinarian who shall pass such report to the judges for the approval before the horse can start.

**8.08** In any case where the Commission Veterinarian has reason to be concerned about the health or condition of a horse he or she may examine that horse at his discretion after advising the trainer or person in charge of his intention to do so.

**8.09** Veterinarians licensed by the Commission shall keep complete records of their administration of any medicament to any horse racing in Ontario. These records must be retained for not less than two years.

**8.10** The records, referred to in Rule 8.09 shall show the name and tattoo number of the horse, the names of the owner and trainer, the date and time of the administration of the drug or medicament and the nature of the medicament administered. Such records may be inspected by the Commission Veterinarian or the judges.

**8.11** Veterinarians may use a code word for the nature of the drug or medicament administered.

**8.12** Except in emergency situations, veterinarians shall not parenterally or orally treat or medicate a horse in the paddock. When a horse has been treated

parenterally or orally or medicated, the Administering Veterinarian shall report it to the Commission Veterinarian who shall report such treatment or medication to the judges immediately who shall then scratch the horse.

**8.13** It shall be the duty of a veterinarian licenced by the Commission to ascertain from the owner or trainer prior to treating any horse (except in an emergency) if the horse in question is or will be entered to race during the period of time in which any medication given by him or her or directed by him or her to be given might, in light of current equine veterinary knowledge, affect any post race official sample, resulting in a positive test. If such should be the case, it is the veterinarian's duty to warn the owner or trainer of this situation.

**8.14** Any veterinarian who is licensed by the Commission may be held wholly or partially responsible, if medication given by him or her or medication given under direction of him or her, in the opinion of the judges, affects any official sample, resulting in a positive test.

**8.15** Should any veterinarian licenced by the Commission be found guilty of any offence contrary to the rules or be found guilty of any actions that would be considered a breach of ethics by the veterinary profession, that veterinarian may be fined by the judges, or may be referred to the Commission for disciplinary action under the rules.

## Chapter 9

### OFFICIAL SAMPLES AND POSITIVE TESTS

**9.01** The winning horse in every heat or race or performance against time shall be ordered to the retention area by the judges and an official sample for the purpose of determining thereby the presence of any prohibited medications under the Race Track Supervision Regulations of the Criminal Code. Further, the judges or the Commission Veterinarian at any meeting may order any horse to the retention area for an official sample to be taken.

**9.02** The obtaining of all official samples shall be the responsibility of the chief test inspector except blood samples which shall be taken by the Commission Veterinarian or a licensed veterinarian.

**9.03** When a horse is in the retention area it shall be under the complete control and authority of the chief test inspector. In the case of all horses from which an official urine sample has been ordered, an effort shall be made to obtain the official urine sample by normal and natural means. If, however, the chief test inspector is unable to secure an official urine sample within the time specified in the race track supervision regulations, a commission or licensed veterinarian, at the request of the Chief Test Inspector, may draw an official blood sample from the horse, provided a statement duly signed by the owner or trainer is given to the Commission Veterinarian to the effect that the owner or trainer accepts full responsibility for any adverse effects that such horse may incur as a result of such

an official blood sample being taken. The official blood sample is to be delivered to the chief test inspector to be tagged and shipped to the official chemist in the same manner as is presently in effect for all other samples.

**9.04** A horse shall not be allowed to race in the Province of Ontario if the taking of an official blood sample is refused unless the Commission Veterinarian, for good cause in his or her judgment, excuses the taking of the sample.

**9.05** Should an official chemist's report on an official sample taken from a horse be positive, he or she shall forthwith notify the Commission and the judges by telephone. This telephoned notification shall be taken as *prima facie* evidence of a positive test. The official chemist shall then confirm such findings by special prepaid mail to the Commission and the judges.

**9.06** (a) When the judges receive the first verbal report, from the official chemist that a positive test has been found, they shall establish as soon as possible the horse from which the test was obtained and at once summon the trainer or his or her responsible representative and ask for an explanation;

(b) After the judges have informed the trainer, or his or her responsible representative of such positive test, and failing a satisfactory explanation, they shall request the Supervisor of Standardbred Racing or his or her authorized delegate to accompany the trainer, or his or her responsible representative, to the stable and conduct a thorough search of the trainer's barn, automobile or any other vehicles which he or she may have in his or her possession or under his or her control;

(c) The judges, the Supervisor of Standardbred Racing or agent, shall continue the investigation, taking evidence from all persons who may have knowledge of the matter, and particularly knowledge disclosing the nature of the drug or medical treatment that had been administered to the horse by any veterinarian or other person before the race, and what protection had been given to the horse prior to the race to ensure that a drug would not be improperly administered to the horse. All oral statements shall be transcribed in full or recorded on a tape recorder.

**9.07** Following the above investigations, the judges will inform the trainer of the horse having the positive test that he or she is responsible for the condition of the horse by virtue of the rules and that the judges are now prepared to hear the evidence relating to the positive test. In the event that the trainer is not prepared to proceed forthwith the judges shall then:

- (a) fix a date and a place when the charge will be heard and disposed of;
- (b) inform the trainer that until the hearing,
  - (i) he or she will be permitted to continue with his or her business as trainer;  
or
  - (ii) that he or she has been suspended and that none of the horses in his or her custody or under his or her care and control shall be allowed to start

until the hearing or until the horses have been turned over to another trainer or trainers approved by the judges.

**9.08** Any person is guilty of an offence who:

- (a) administers or influences or conspires with any other person to administer to a horse, to affect the performance or condition of such horse, any drug which results in a positive test;
- (b) enters a horse in a race, allows or authorizes a horse to compete in a race that has been administered any drug which results in a positive test.

**9.09** Whenever a test discloses the presence of any drug in any horse in a race, it shall be presumed that the drug was administered, in violation of the rules, by the person having the control or care or custody of such horse to affect the performance or condition of such horse. (See also 27.02)

**9.10** If the judges find that there has been improper interference or substitution in the taking of an official sample, they shall consider it a violation and take such action as they deem proper against any person found by them to have committed such a violation.

**9.11** Whenever a trainer is suspended under any provisions of this chapter of the rules, any horse trained by him or her or under his or her care but not owned wholly or in part by him or her may, with the consent of the judges at that meeting, be released to the care of another licensed trainer and may race.

**9.12** Any horse from which an official sample has been ordered by the judges shall be taken directly and without delay to the retention area by the person or persons having care and control of such horse, failure to do so is a violation of the rules and they and/or the horse may be suspended until the judges have held a hearing and dealt with the matter.

**9.13** Any owner, trainer or designated representative of the owner having the care, custody or control of any horse, who refuses to allow an official sample to be taken from the horse when ordered to do so by the judges shall be liable to the same penalty as if a positive test had been obtained from such horse.

**9.14** The detection of any drug in an official sample by the official chemist which constitutes a positive test shall disqualify the owner from participation in the purse distribution in that race and the horse shall be declared disqualified except for pari-mutuel wagering. In such case, the purse monies so affected shall be redistributed among the other horses in the race entitled to same, and any time record which may have been established shall be null and void.

**9.15** All decisions made by the judges regarding positive tests are subject to appeal to the Commission.

**9.16** The Commission will review all decisions made by the judges pertaining to positive tests and may, at its discretion, reopen any case to rehear and rule on the evidence.

## Chapter 10

### NEEDLES, SYRINGES AND SEARCHES

**10.01** No person except physicians, Commission Veterinarians or veterinarians licensed by the commission, within the grounds of a raceway where race horses are lodged or kept, shall have in or upon the premises which he or she occupies or has the right to occupy, or in his or her personal property or effect:

- (a) any hypodermic syringe, hypodermic needle or any other device which could be used for the injection or infusion into a horse of any substance; or
- (b) any injectable which might be administered by a hypodermic syringe, hypodermic needle, or device (known technically as a substance for parenteral administration) without first securing written permission from the judges or Supervisor of Standardbred Racing.

**10.02** The judges, the Supervisor of Standardbred Racing or persons authorized by them shall have the right to enter in or upon the buildings, stables, rooms, vehicles or other places within the grounds of any raceway for the purpose of examining, searching, inspecting and seizing the personal property and effects of any person in or upon such place.

**10.03** Participants acting in any capacity at a race meeting approved by the Commission by so participating, consent to the examination, search and inspection referred to in the rules, and to the seizure of any hypodermic syringe, hypodermic needle or any other device described in the rules, and all drugs and medicaments of any kind which might be in his or her possession. Any drugs, medicaments or other material or devices suspected to contain medications prohibited under the Race Track Supervision Regulations of the Criminal Code may be forwarded to the official chemist for analysis.

## Chapter 11

### HORSES PERMITTED TO RACE

**11.01** A horse shall not be eligible to be declared in to race at any raceway unless:

- (a) the eligibility fee, which shall become due and payable when a horse makes its first start in any type of race in a calendar year, has been paid to the Canadian Trotting Association, OR a valid eligibility certificate has been granted for the horse by the United States Trotting Association and its Canadian Trotting Association eligibility fee has been paid.
- (b) if wholly Canadian owned, the horse has been registered in the current ownership with the Canadian Standardbred Horse Society;
- (c) if leased, a copy of the lease is on file with, and is acceptable to the Canadian Trotting Association. The horse must race in the name of the lessee;

- (d) (i) For overnight races the horse has qualified, in accordance with the rules, including Chapter 12 where applicable, prior to the time of closing of declarations in accordance with the qualifying standards of the track presenting the race, other than for schooling or matinee races.  
(ii) For added money events the horse has qualified, in accordance with the rules, including Chapter 12 where applicable, prior to the time of closing of declarations and in accordance with Rule 11.02.
- (e) The horse shows a charted line with no breaks not more than 30 clear days before the closing of declarations and such charted line must be obtained in a purse, qualifying or schooling race. For races contested in Ontario, the charted line must be obtained at an extended meeting.
- (f) the horse is at least two years of age to race at any meeting but not older than fourteen (14) years of age to race at extended pari-mutuel meetings; and is not older than seventeen (17) years of age to race at non-extended, matinee or fair meetings. The age of the horse shall be reckoned from the first day of January of the year of foaling, except for horses born in November and December of the years 1970 and 1980 inclusive, in which case the age shall be reckoned from January 1st of the succeeding year;
- (g) the horse has not been "nerved" above its pastern;
- (h) if a mare has been spayed, the Canadian Trotting Association has been notified in writing by the owner, trainer or veterinarian;
- (i) the horse does not have a tube in its throat;
- (j) the horse has at least partial vision.
- (k) the horse has been lip tattooed or freeze branded in accordance with the Rules and Regulations of the Canadian Standardbred Horse Society.

**11.02** If a horse meets the conditions of Rule 11.01 it will be considered qualified and eligible to be declared to added money events if it has qualified and its individual time, including applicable allowance for age and gait is:

- (a) at least equal to the qualifying standard at the track where it qualified; or,
- (b) at least equal to the qualifying standard at the track where declaration for the added money event is to be made;
- (c) such charted line must be obtained in a purse, qualifying or schooling race, not more than 30 clear days before the closing of declarations for the added money event.

**11.03** For the purposes of Rule 11.02, all tracks shall post the qualifying standards for aged horses and there shall be an allowance over and above that standard of 2 seconds granted to 2-year-old pacers and 4 seconds granted to 2-year-old trotters after the Judges have given the appropriate allowance for track conditions on that day.

**11.04** Notwithstanding Rules 11.01, 11.02, and 11.03, if a horse participates in a race or event after having been declared into a subsequent race

or event it shall be ruled ineligible to the subsequent race or event and scratched if its performance in the initial race or event make it ineligible under the rules. If the race or event from which the horse is scratched is an added money race or event any starting fee payed or payable shall be forfeited.

**11.05** Any participant who declares, or causes to be declared, an ineligible horse to start shall be guilty of a violation of the rules and subject to disciplinary action by the judges. If after declarations close, and prior to the race, the judges become aware that an ineligible horse has been declared, they shall immediately scratch the horse and starting fees, if applicable, shall be forfeited.

**11.06** If the ownership of a horse changes, such horse may start under the new ownership not more than once without reasonable evidence being given to the judges that the registration certificate has been forwarded to the Canadian Standardbred Horse Society or the United States Trotting Association.

**11.07** Any participant skipping or omitting transfers of ownership of any horse shall be guilty of a violation.

**11.08**

- (a) If a horse is making its first start since the implementation of the electronic eligibility system, its eligibility certificate must be presented to the race secretary before it starts in such race. If it is determined that the certificate has not been presented as required by this rule, the horse shall be permitted to contest the race and, immediately thereafter, the judges shall place the horse on the Judges' List. The horse shall remain on the Judges' List until its valid eligibility certificate is presented to the judges.
- (b) A horse which will be making its next start outside the electronic eligibility system will not be able to start without an eligibility certificate. It is the responsibility of the trainer to obtain a hard copy eligibility certificate from a Canadian Trotting Association field representative.
- (c) A horse which has raced under the electronic eligibility system and has made its last start outside the system shall not be permitted to start unless its valid eligibility certificate is in the hands of the judges at least one hour prior to post time of its race. It is the responsibility of the trainer to have the eligibility certificate presented in accordance with this rule and should the certificate not be presented as required, the judges shall scratch the horse and any entry fees will be forfeited.

**11.09** Horses not under lease must race in the name of the bona fide owner.

**11.10** For the purposes of eligibility to race, race lines charted at non-extended meetings in Ontario shall not be considered other than for the purposes of number of starts, wins and purse money.

## Chapter 12

### QUALIFYING RACES

**12.01** Qualifying races and gate schooling shall be held at least one full week prior to the opening of any race meeting and thereafter held according to the demand as determined by the judges.

**12.02** Declarations for overnight events, other than schooling races or matinee races, at extended meetings shall be governed by the following:

- (a) qualifying standards shall be established by the race secretary, filed with the judges and posted so as to be available for inspection of participants at all times. A horse shall be deemed unqualified if it has not shown a performance meeting the qualifying standards for the meeting, or fails to perform in accordance with such standards. Such horses shall be placed on a "Qualifying List" by the judges who shall not remove the horse therefrom until it has qualified in accordance with the standards for the meeting;
- (b) names of horses placed on the "Qualifying List" shall be posted by the judges at a place in the race office accessible to owners or trainers;
- (c) qualifying standards shall apply only to the raceway where established;
- (d) qualifying races shall be charted by a licensed chart maker and a photo finish camera be used to determine beaten lengths and individual times of the horses;
- (e) qualifying races must be conducted under the supervision of a judge.

**12.03** A horse that does not show a charted line at the chosen gait, within its last six starts, or does not show a charted line within the previous 30 clear days, must perform in a qualifying race.

**12.04** The judges may institute standards relating to an individual horse's performance to establish if the horse must qualify.

**12.05** The judges may establish standards to require a faster class horse to qualify by means of a timed workout for overnight events only.

**12.06** Any horse that chokes or bleeds warming up for a race or during a race shall be placed on the Veterinarians' List and be required to go a qualifying race and perform to the satisfaction of the judges and the Commission veterinarian before being allowed to be declared in.

**12.07** Any horse regularly wearing hopples shall not be permitted to be declared to race without them and any horse regularly racing without hopples shall not be permitted to wear hopples in a race without first having qualified with this equipment change. In addition to the foregoing, any horse regularly wearing hopples and which is not on a qualifying list or judges' list, is allowed one start without hopples in a qualifying race; and this single performance shall not affect its eligibility to race with hopples in a subsequent event to which it is declared.

**12.08** When, for the sole purpose of qualifying the driver, a horse is declared

in to race in a qualifying race it shall carry a head number but shall not wear a saddle cloth and its performance shall not be charted.

**12.09** A horse making a break off a qualifying matinee, or schooling line must qualify again unless the break was an equipment break or caused by interference or unless declaring into race in an added money event.

**12.10** A horse making two consecutive breaks must qualify unless the breaks were equipment breaks or caused by interference.

**12.11** A horse must qualify if:

- (a) it is distanced for reasons other than interference, broken equipment or breaking stride; or
- (b) it does not finish for reasons other than interference, or broken equipment.

**12.12** A charted line containing only a break or breaks caused by interference or an equipment break shall be considered a clean charted line.

## Chapter 13

### TYPES OF RACES PERMITTED

**13.01** In presenting a program of racing the race secretary shall use exclusively the following types of races:

- (a) Overnight events which include:
  - (i) Conditioned races.
  - (ii) Claiming races.
  - (iii) Preferred, invitational, handicap, open or free-for-all races.
  - (iv) Schooling races.
  - (v) Matinee races.
- (b) Added money events which include:
  - (i) Stakes.
  - (ii) Futurities.
  - (iii) Early closing events.
  - (iv) Late closing events.
- (c) Match races.

## Chapter 14

### OVERNIGHT EVENTS

**14.01** For the purpose of this rule, overnight events shall include conditioned, claiming, preferred, invitational, handicap, open, free-for-all, schooling or matinee races or a combination thereof.

**14.02** At extended meetings, condition sheets must be available to participants at least 24 hours prior to closing declarations to any race program contained therein. At other meetings, conditions must be posted and available to participants at least 18 hours prior to closing declarations.

**14.03** The racing association must specify the minimum number of declarations required for a race and when this condition is fulfilled, the event must be contested on the day it was offered.

**14.04** A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race. Claiming races may be carded to the proportion of each week's racing program as the number of claiming authorizations on file with the race secretary bears to the total number of horses which are qualified and available for racing.

**14.05** Substitute races may be provided for each race program and shall be so designated in condition books. A substitute race may be used when a regularly scheduled race fails to fill.

**14.06** Regularly scheduled races or substitute races may be divided where necessary to fill a program of racing, or may be divided and carried over to a subsequent racing program, subject to the following:

- (a) No such divisions shall be used in the place of regularly scheduled races which fill.
- (b) Where races are divided in order to fill a program, the race secretary may select the starters, after preference has been applied, for divisions of one divided race, providing eligibility to the said race is based solely upon lifetime earnings. Otherwise, starters for each division must be determined by lot after preference has been applied, unless the conditions provide for divisions based upon age, performance, earnings or sex.

**14.07** Conditions:

- (a) May be based upon, among other things:
    - (i) Horses' money winnings in a specified number of previous races or during a specified previous time,
    - (ii) Horses' finishing position in a specified number of previous races or during a specified period of time.
    - (iii) Age.
    - (iv) Sex.
    - (v) Number of starts during a specified period of time.
    - (vi) Special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada.
    - (vii) the exclusion of schooling races.
    - (viii) Or any one or more combinations of the qualifications herein listed.
  - (b) Shall not be written in such a way that any horse is deprived of an opportunity to race in a normal preference cycle. Where the word "preference" is used in a condition, it shall only supersede date preference as provided in the rules. Not more than three "also eligible" conditions shall be used in writing the conditions for overnight events.
- 14.08** In the event there are conflicting published conditions and neither one

nor the other is withdrawn by the racing association, the one more favourable to the declarer shall govern.

**14.09** For the purpose of eligibility, a racing season or racing year shall be the calendar year. All races based on winnings will be programmed "Non-Winners of \$....." or "Winners over \$.....". Additional conditions may be added. When recording winnings, gross winnings shall be used and cents shall be disregarded.

**14.10** Records, time bars or place of residence of the owner of a horse declared into an event shall not be used as a condition of eligibility.

**14.11** Horses must be eligible when declarations close subject to the provision that:

- (a) Winnings on or after the closing date of declarations shall not be considered;
- (b) Age allowances shall be given according to the age of the horse on the date the race is contested.
- (c) In mixed races, trotting and pacing, a horse must be eligible under the conditions for the gait at which it is stated in the declaration the horse will perform.

**14.12** When conditions refer to previous performances, those performances shall only include those in a purse race. Each dash or heat shall be considered as a separate performance for the purpose of condition races.

**14.13** Preferred, invitation, handicap, open and free-for-all races are those limited to the fastest horses competing at the meeting. Horses to be used in such races shall be posted in the office of the race secretary prior to closing declarations, if the eligibility certificates for the horses are on file with the race secretary. Horses without eligibility papers on file in the office of the race secretary may be posted any time prior to the drawing of post positions for any event to which the horses are declared. Horses so posted shall not be eligible to conditioned races unless the conditions specifically include horses posted to any or all such races. No two-year-old will be eligible to be placed on such lists to race against older horses until it has won seven races, unless requested by the owner or authorized agent. The owner or authorized agent may withdraw such request at their discretion. Removal of a horse from such lists must be made not later than the day following the start which caused it to be removed. Twelve such races may be conducted during the 6-day period of racing at tracks distributing more than \$100,000.00 in overnight purses during such period and not more than 10 such races shall be conducted at other tracks during a 6-day period of racing, provided that at least two of these races are for three-year-olds, four-year-olds or combined three and four-year-olds. At tracks which race less than 5 days per week, not more than ten such races may be conducted during a 6-day period. Purses offered for such races shall be at least 15% higher than the highest purse offered for a conditioned race programmed the same racing week.

**14.14** In overnight events, not more than one trailer shall be permitted at extended meetings in Ontario, regardless of the size of the track. Not more than two trailers shall be permitted at non-extended meetings. In all cases, at least eight feet per horse must be provided the starters in the front tier.

**14.15** The race secretary may reject the declaration to an overnight event of any horse whose past performance indicates that it would be below the competitive level of other horses declared to that particular event, provided the rejection does not affect the number of races scheduled for that program.

## Chapter 15

### CLAIMING RACES

**15.01** No horse will be eligible to start in a claiming race unless the owner has provided written authorization, which must include the minimum price for which the horse may be claimed, to the race secretary at least one hour prior to post time of its race. If the horse is owned by more than one party, all parties must sign the authorization. Any question relating to the validity of a claiming authorization shall be referred to the judges who shall have the authority to disallow a declaration or scratch the horse if they deem the authorization to be improper.

**15.02** Registration certificate in current ownership, together with the application for transfer thereon duly endorsed by all registered owners, must be filed in the office of the race secretary for all horses claimed within a reasonable time after the race from which the horse was claimed. (See Rule 15.21).

**15.03** The price allowances that govern for claiming races are as follows, any deviation from these allowances will constitute a violation:

Colts, Stallions, Geldings and Spayed Mares	Fillies and Mares
2-year-old	75%
3-year-old	50%
4-year-old	25%
5-year-old	0
	100%
	75%
	50%
	25%

Claiming prices recorded on past performance lines in the daily race program and on eligibility certificates shall not include allowances.

**15.04** A claiming race shall not be offered permitting claims for less than the minimum purse offered during the same week at the meeting.

**15.05** The claiming price, including any allowances, of each horse shall be printed on the official program adjacent to the horse's program number and claims shall be for the amount designated, subject to correction if printed in error.

**15.06** In handicap claiming races, in the event of an "also eligible" horse moving into the race, the "also eligible" horse shall take the place of the horse

that it replaces provided that the handicap is the same. In the event the handicap is different, the "also eligible" horse shall take the position on the outside of horses with a similar handicap, except when the horse that is scratched is a trailing horse, in which case the "also eligible" horse shall take the trailing position, regardless of its handicap. In handicap claiming races with one trailer, the trailer shall be determined from among those horses declared in the lowest prices. In the event there are two horses declared and drawn in at the lowest price and the one with the No. 1 post position is scratched and not replaced by an "also eligible" horse with the same price, then the trailing horse with the same price shall be moved into the No. 1 position.

**15.07** To be eligible to be claimed a horse must start in the event in which it has been declared to start. For the purposes of this rule, a horse shall be deemed to have started if it is behind the gate when the field is released at the starting point by the starter.

**15.08** Notwithstanding rule 15.07 and subject to the provisions of subsection (a), if a horse that has drawn in to start in a claiming race is scratched for reasons other than being ineligible to the conditions of the race, the said horse shall be subject to claim in its next start in Ontario, providing such start occurs within thirty (30) clear days after the date of the scratch, regardless of the type or conditions of the race, at the claiming price to which it was subject to claim in the race from which it was scratched or at a lower price, if so declared. Such scratch is to be recorded in the official performance records of said horse.

(a) Where a horse drawn to start in a claiming race has been declared to start in a subsequent claiming race, a successful claimant, if any, of the horse in the first race shall have the option of scratching the horse from the subsequent race, in which case the provisions of this section will not apply.

**15.09** A person shall not be permitted to claim any horse unless he or she, is an owner, the authorized agent for such owner who holds a current valid Ontario Racing Commission licence, or a person who has properly applied for and been granted a certificate to claim, valid on the day of issue and expires 30 days from issue date. Where a horse is claimed by an ineligible claimant under this rule the claim shall be declared invalid, if the horse has not been delivered to the claimant. If the horse has been delivered to the ineligible claimant, it shall be returned at the original owner's option; however, such option must be exercised within forty-eight (48) hours following the time of the race from which the horse was claimed.

**15.10** An authorized agent may claim on behalf of a person eligible to claim. Any participant eligible to claim a horse, or his or her authorized agent, shall be allowed access to the grounds of the racing association in order to effect a claim at the designated place for making claims and to take possession of the horse claimed.

**15.11** A claimed horse, regardless of ownership, must race only at a track or

tracks in the Province of Ontario for the next thirty(30) clear days unless the track where the horse is claimed is closing for more than 30 days. In the case of a track closing for more than 30 days, the horse is released from the provisions of this rule the day after the track closes. For the purpose of this rule, the Ontario Jockey Club tracks of Greenwood and Mohawk shall be considered a single track. Any person who violates this rule shall be subject to a fine of ten percent (10%) of the claiming price of the horse for each start of the horse which violates this rule.

**15.12 Prohibitions on claims:**

- (a) A person shall not claim his or her own horse or a horse trained by him or her or cause such horse to be claimed directly or indirectly for his or her own account.
- (b) A person shall not offer, or enter into an agreement, to claim or not to claim, or attempt to prevent another person from claiming any horse in a claiming race.
- (c) A person shall not have more than one claim on any one horse in any claiming race.
- (d) A person shall not conspire to protect a horse from being claimed by arranging protection claims.

**15.13 Claiming procedure:**

- (a) A person desirous of making a claim, hereinafter referred to as the claimant, must remit the required amount by certified cheque, or by bank draft, payable to the racing association or to the person desirous of making the claim and properly endorsed over to the association, or by cash or by transfer of purse account funds on credit with the racing association conducting the race. The required amount shall include the claiming price plus the transfer of ownership fee.
- (b) The claimant shall provide all information required on the claim form provided by the racing association.
- (c) The claim form shall be completed and signed by the claimant prior to placing in an envelope provided for this purpose by the racing association. The claimant shall seal the envelope and identify on the outside the date, race number and track name only.
- (d) The envelope shall be delivered to the race secretary, or licensed delegate, at least thirty (30) minutes before post time of the race from which the claim is being made. That person shall certify on the outside of the envelope the time it was received, the current licence status of the claimant and whether credit in the required amount has been established.
- (e) It shall be the responsibility of the race secretary to ensure that all such claim envelopes are delivered unopened or otherwise undisturbed to the judges prior to the race from which the claim is being made.
- (f) The judges shall disallow any claim made on a form which is incomplete or improperly completed, or if the required amount of the claim is not present.

(g) Documentation supporting all claims for horses, whether successful or unsuccessful, shall include details of the method of payment either by way of a photostatic copy of the cheque presented, or written detailed information to include the name of the claimant, the bank, branch, account number and drawer of any cheques or details of any other method of payment. This documentation is to be kept on file at race tracks for 12 months and is to be produced to the Supervisor of Racing for inspection at any time during the 12 month period.

**15.14** When a claim has been lodged it is irrevocable, and is at the risk of the claimant. Determination of the true sex of a claimed horse shall be the sole responsibility of the claimant, and mistakes in that regard printed in the official program or elsewhere shall not be considered basis for invalidating the claim.

**15.15** In the event more than one claim is submitted for the same horse in any race, the successful claimant shall be determined by lot by the judges, and all unsuccessful claims involved in the decision by lot shall, at that time, become null and void, notwithstanding any future disposition of such claim.

**15.16** Upon determining that a claim is valid, the judges shall forthwith notify the paddock judge of the name of the horse claimed, the name of the claimant and the name of the person to whom the horse is to be delivered. Also, the judges shall cause a public announcement to be made.

**15.17** Every horse entered in a claiming race shall race for the account of the owner who declared it in the event, but title to a claimed horse shall be vested in the successful claimant from the time the horse is deemed to have started, and the successful claimant shall become the owner of the horse, whether it be alive or dead, or sound or unsound, or injured during or after the race. If a horse is claimed out of the first heat of a double dash, the judges shall scratch the horse from the subsequent second heat of the event.

**15.18** A horse claimed shall be delivered immediately by the original owner, his or her trainer or authorized representative, to the successful claimant upon authorization of the judges. The horse's halter must accompany the horse. Altering or removing the horse's shoes will be considered a violation of this rule.

**15.19** Any person who refuses to deliver a horse legally claimed out of a claiming race shall be suspended, together with the horse, until delivery is made.

**15.20** A claimed horse shall not be eligible to start in any race in the name or interest of the original owner for thirty (30) days, unless reclaimed out of another claiming race. Nor shall such horse remain in or be returned to the same stable or care or management of the first owner or trainer for the same period of thirty (30) days, unless reclaimed out of another claiming race.

**15.21** The claiming price shall be paid to the original owner only when the judges are satisfied that the successful claim is valid and the registration certificate

has been received by the Racing Secretary for transfer to the new owner. (See Rule 15.02).

**15.22** The judges, at the option of the claimant, shall rule a claim invalid:

- (a) If the official racing chemist reports a positive test on a horse that was claimed out of a claiming race, provided such option is exercised within forty-eight (48) hours following notification to the claimant of the positive test by the judges, or
- (b) If the horse has been found ineligible to the event from which it was claimed.

**15.23** If a filly or mare has been bred she is ineligible to be declared to a claiming race unless either (a) or (b) of the following conditions is fulfilled:

- (a) (i) Full disclosure of this fact is on file with the Racing Secretary where the said mare is racing and such information is posted in the race office.  
(ii) The certificate of service has been attached to the registration certificate. All information contained on the certificate of service shall be confidential.  
(iii) All payments due for the service in question and for any live progeny resulting from that service are paid in full.  
(iv) The release of the certificate of service to the successful claimant at the time is guaranteed.

OR

- (b) A licensed veterinarian's certificate dated at least 40 days after the last breeding of that mare or filly is on file with the Racing Secretary's Office stating that the mare or filly is not in foal.

**15.24** When the judges rule that a claim is invalid and the horse is returned to the original owner:

- (a) The amount of the claiming price shall be repaid to the claimant;
- (b) any purse monies earned subsequent to the date of the claim and before the date on which the claim is ruled invalid shall be the property of the claimant; and
- (c) the claimant shall be responsible for any reasonable costs incurred through the care, training or racing of the horse while it was in his or her possession.

## Chapter 16

### ADDED MONEY EVENTS

**16.01** For the purpose of this rule, added money events include stakes, futurities, early closing events and late closing events as defined in chapter 2.

**16.02** All sponsors and presenters of added money events must comply with the rules and must submit to the Commission the conditions and other information pertaining to such events.

**16.03** Any conditions contrary to the provisions of any of these rules are prohibited.

**16.04** Conditions for added money events must specify:

- (a) Which horses are eligible to be nominated.
- (b) The amount to be added to the purse by the sponsor or presenter, should the amount be known at the time.
- (c) The dates and amounts of nomination, sustaining and starting payments.
- (d) Whether the event will be raced in divisions or conducted in elimination heats, in the event more horses are declared than the maximum allowed to compete in one division.
- (e) The distribution of the purse, in percent, to the money winners in each heat or dash, and the distribution, should the number of starters be less than the number of premiums advertised.

**16.05** Sponsors or presenters of stakes, futurities or early closing events shall provide a list of nominations to each nominator or owner and to the racing associations concerned within 60 days after the date on which nominations close, other than for nominations payable prior to January 1st of a horse's two-year-old year.

**16.06** In the case of nominations for futurities payable during the foaling year, such lists must be forwarded out prior to October 15th of that year and, in the case of nominations payable in the yearling year, such lists must be forwarded out not later than September 1 of that year.

**16.07** Sponsors or presenters of stakes, futurities or early closing events shall also provide a list of horses remaining eligible to each owner of an eligible within 45 days after the date on which sustaining payments are payable. All lists shall include a resume of the current financial status of the event.

**16.08** The Commission may require the sponsor or presenter to file with the Commission a surety bond in the amount of the fund, to ensure faithful performance of the conditions, including a guarantee that the stake or futurity will be raced as advertised and all funds will be segregated and all premiums paid. Unanimous consent must be obtained from owners of eligibles to transfer or change the date of a stake or futurity, or to alter the conditions unless permission to do so has been granted by the Commission. In any instance where a sponsor or presenter furnishes the Commission with substantial evidence of financial responsibility satisfactory to the Commission, such evidence may be accepted in lieu of a surety bond.

**16.09** Dates for nominations payments:

- (a) Stakes: The date for closing of nominations on yearlings shall be May 15th. The date for closing of nominations to all other stakes shall fall on the fifteenth day of a month.
- (b) Futurity: The date for closing of nominations shall be July 15th of the year of foaling.
- (c) Early Closing Events: The date for closing of nominations shall fall on the first

or fifteenth day of a month. Nominations on two-year-olds shall not be taken prior to February 15th.

- (d) Late Closing Events: The date for closing of nominations shall be at the discretion of the sponsor or presenter.

**16.10 Dates for sustaining payments:**

- (a) Stakes and Futurities: Sustaining payments shall fall on the fifteenth day of a month. No stake or futurity sustaining fee shall become due prior to February 15th of the year in which the horses nominated become two years of age.
- (b) Early and Late Closing Events: Sustaining payments shall fall on the first or fifteenth day of a month.

**16.11** The starting fee shall become due when a horse is properly declared to start and shall be payable in accordance with the conditions of the added money event. Once a horse has been properly declared to start, the starting fee shall be forfeited, whether or not the horse starts. Should payment not be made one hour before the post time of the added money event the horse shall be scratched and the payment shall become a liability of the owner who shall, together with the horse or horses, be suspended until payment is made in full, providing the association notifies the Commission within thirty (30) days after the starting date.

**16.12** Failure to make any payment required by the conditions constitutes an automatic withdrawal from the event.

**16.13** Conditions that will eliminate horses nominated to an event, or add horses that have not been nominated to an event by reason of performance of such horses at an earlier meeting, are invalid. Early and late closing events shall have not more than two "also eligible" conditions.

**16.14** The date and place where early and late closing events will be raced must be announced before nominations are taken. The date and place where stakes and futurities will be raced must be announced as soon as determined but, in any event, such announcement must be made no later than March 30th of the year in which the event is to be raced.

**16.15** Deductions may not be made from nomination, sustaining and starting payments or from the advertised purse for clerical or any other expenses.

**16.16 All nominations to added money events must:**

- (a) Be made in writing.
- (b) Be signed by the owner or authorized agent.
- (c) Give name and address or both the bona fide owner and agent or lessee.
- (d) Give name, colour, sex, sire and dam of horse.
- (e) Name the event or events in which the horse is to be nominated.

**16.17** Every nomination shall constitute an agreement and the person making the nomination, and any other person owning or having control of the horse, now or in the future, and the horse, shall be subject to these rules, and they

will submit all disputes and questions arising out of such nomination to the Commission, whose decision shall be final.

**16.18** Nominations and sustaining payments must be received by the sponsor or presenter not later than the hour of closing, except those made by mail must bear a postmark placed thereon not later than the hour of closing. In the event the hour of closing falls on a Saturday, Sunday, or legal holiday, the hour of closing shall be extended to the same hour of the next business day. The hour of closing shall be midnight of the due date.

**16.19** If conditions require a minimum number of nominations and the event does not fill, the Commission and each nominator shall be notified within twenty (20) days and a refund of nomination fees shall accompany such notice to nominators.

**16.20** If conditions are advertised for more than one event by a single sponsor or presenter, a horse nominated to an event to which it is ineligible may be transferred to any event to which it is eligible at the same gait.

**16.21** If conditions for early or late closing events allow transfer for change of gait, such transfer shall be to the lowest class the horse is eligible to at the adopted gait, eligibility to be determined at the time of closing nominations. The race to which the transfer may be made must be the one nearest the date of the event originally nominated to. Two-year-olds, three-year-olds, or four-year-olds, nominated in classes for their age, may only transfer to classes for the same age group at the adopted gait to the race nearest the date of the event they were originally nominated to, and entry fees to be adjusted.

**16.22** Conditions cannot be changed after nominations have been received, except with the approval of the Commission.

**16.23** In the event that a mare nominated to a futurity fails to have a live foal, the nominator shall receive a return of his payment upon notification to the sponsor by December 15th of the year in which she failed to produce a live foal.

**16.24** A nominator is required to guarantee the identity and eligibility of nominations, and if this information is given incorrectly he or she may be fined, suspended, or expelled and the horse declared ineligible. If any purse money was obtained by an ineligible horse, the monies shall be forfeited and redistributed among those justly entitled to the same.

**16.25** The "Advertised Purse" is that amount offered for an event by the association, sponsor or presenter and does not include nomination, sustaining, or starting fees. The "Advertised Purse" for any stake, futurity, early closing event or late closing event shall not be less than \$500.00 added, if conducted at non-extended meetings. Deductions from the advertised purse for "consolation races" will not be permitted.

**16.26** Minimum declarations required to race:

(a) Early or late closing events must be contested if five or more horses are

declared to start. Extended meetings have the right to require at least five separate interests to start. If less horses are declared to start than required, the race may be declared "off", in which case the total of nomination, sustaining and starting payments received shall be divided equally to the horses declared to start. Such distribution shall not be credited as purse winnings.

- (b) Stakes or futurities must be contested if one or more horses are declared to start. In the event only one horse, or only horses in the same interest start, it constitutes a walk-over. In the event no declarations are made, the total of nomination and sustaining payments shall be divided equally to the horses remaining eligible after payment to the last sustaining payment, but such distribution shall not be credited as purse winnings.

**16.27** Associations shall provide stable space for each horse declared on the day before, the day of, and the day following the race.

**16.28** The maximum size of fields permitted at extended meetings, in any stake, futurity, early closing or late closing event shall be governed by the following conditions:

- (a) 1/2 mile tracks no more than two (2) trailers.
- (b) 5/8 mile tracks no more than three (3) trailers.
- (c) notwithstanding Rule 16.28 (a) and (b) there shall be a maximum of 11 starters in any race.
- (d) An association may elect to go with less than the number of trailers specified in (a) or (b) above but the number must be stated in the conditions for early and late closing events and for stakes races in January of the year the race is to be conducted.

**16.29** In the event more horses are declared to start than allowed in one field, the race will be conducted in divisions or eliminations, as specified in the conditions.

**16.30** In stakes, futurities, early or late closing events conducted in divisions, the Association shall add to each division an amount not less than 75% of its "Advertised Purse" less any amounts added by sponsors other than Racing Associations, for the event. To this amount, the nominating and sustaining fees shall be added and the revised total purse shall be split between the divisions, with the starting fees going to the division in which the horse starts. All divisions must be raced on the same program. Any amounts added by sponsors are to be divided equally among the divisions.

**16.31** Notwithstanding rule 16.30, if the race is for two or three-year-olds, and contested at a non-extended meeting, the race may be divided and raced in divisions and each division raced for an equal share of the total purse, if the advertised conditions so provide.

**16.32** In added money events conducted in eliminations, starters shall be

divided by lot. Sixty (60) percent of the total purse will be divided equally among the elimination heats. The final heat will be contested for forty (40) percent of the total purse. Unless the conditions provide otherwise, all elimination heats and the final heat must be raced on the same day. If the conditions provide otherwise, elimination heats must be contested not more than six days, excluding Sundays, prior to the date of the final heat. The winner of the final heat shall be the winner of the race. If the estimated value of the total purse for the event is \$100,000.00 or more, the conditions pertaining to the division of the purse between elimination heats and the final may be amended with the approval of the Commission. The approval of the Commission must be obtained prior to the printing of the conditions and the approved distribution must be contained in the conditions when printed for the event.

**16.33** Unless the conditions provide otherwise, if there are two elimination heats, the first four finishers in each will qualify for the final heat. If there are three or more elimination heats, not more than three horses will qualify from each elimination heat for the final. In any event, the number of horses allowed to qualify for the final heat shall not exceed the maximum number permitted to start in accordance with the rules.

**16.34** The judges shall draw by lot the post positions for the final heat in elimination events, i.e. they shall draw positions to determine which of the two elimination heat winners shall have the pole, and which the second position; which of the two horses that were second shall start in the third position, and which in the fourth, etc.

**16.35** In a "two-in-three" race, a horse must win two heats to win a race and there shall be 10 percent set aside for the race winner. The purse shall be divided and awarded according to the finish in each of the first two or three heats, as the case may be. If the number of advertised premiums exceeds the number of finishers, the excess premiums shall go to the winner of the heat. The fourth heat, when required, shall be raced for 10 percent of the purse set aside for the race winner. In the event there are three separate heat or dash winners and they alone come back in order to determine the race winner, they will take post positions according to the order of their finish in the previous heat. In a two-year-old race, if there are two heat winners and they have made a dead heat in the third heat, the race shall be declared finished and the one standing best in the summary shall be awarded the 10 percent. If the two heat winners make a dead heat and stand the same in the summary, the 10 percent shall be divided equally among them.

## Chapter 17

### DECLARATIONS AND DRAWING OF POST POSITIONS

**17.01** The association shall specify the time for closing of declarations, but in any event the declaration box shall not close more than three clear days,

omitting Sundays, Christmas Eve and Christmas Day, before the date of the race. The time must be published on condition sheets.

**17.02** A declaration received after the specified time of closing shall not be accepted, except those omitted due to error or negligence by an official or employee of the association.

**17.03** The association shall provide a locked box with an aperture through which declarations shall be deposited. Participants shall deposit their declarations in the declaration box, except as provided in Rule 17.06.

**17.04** The submitting of declarations for one horse to races scheduled for the same day at different tracks is prohibited.

**17.05** The submitting of a declaration for a horse that is ineligible to race because it has been placed on the judges' list or veterinarians' list, and not removed therefrom, is prohibited.

**17.06** Declarations made by mail, telegraph or telephone are acceptable and shall be subject to the same terms and conditions as written declarations, providing evidence of same is deposited in the declaration box before the time specified for declarations to close and provided that adequate program information is furnished by the declarer. The race secretary or licensed delegate is responsible for depositing such declarations. A mail, telegraphic or telephone declaration must state the name of the horse, the event it is to be declared to, and be signed by the person who received and deposited it.

It is the responsibility of the trainer to ensure that the person declaring a horse which had its last start outside Canada, advises the race secretary of where and when the horse raced.

**17.07** Prior to the opening of the box for the draw, the race secretary or licensed delegate shall be in charge of the declaration box. The box may be opened prior to the time of closing, to provide an opportunity to process declarations. Information as to the names of horses declared shall not be given by any person to any person until after the time for closing of declarations has passed.

**17.08** The race secretary shall check the eligibility of each horse declared; however, notwithstanding, the trainer is responsible for the eligibility of horses declared to race.

**17.09** At the time specified, one of the judges or in the event of their inability to be present the race secretary, or licensed delegate, shall unlock the box. The race secretary will be responsible to see that at least one licensed participant is present to witness the draw. An owner or agent of a horse with a declaration in the declaration box shall not be denied the privilege of being present. Declarations shall be listed, the eligibility verified, preference ascertained, starters selected, and post positions drawn. If it is necessary to reopen any race, public announcements shall be made at least twice and the box reopened at a definite time.

**17.10** Starters and "also eligibles" for overnight events shall be drawn by lot from horses properly declared to start, except that preference shall be given according to a horse's last previous start in a purse race, other than races designated as "Schooling Races", at the gait for which it is declared. In addition, preference shall be governed by the following:

- (a) If more than the required number of horses are declared in with the same preference date, the previous two preference dates shall apply. A Racing Secretary may draw by lot if more than two previous preference dates are identical. These procedures are to be carried out at the time of the draw in the presence of licensed participants.
- (b) When a horse is racing for the first time at the gait declared, it shall have preference over other horses regardless of their preference dates.
- (c) If a declaration is made for a horse that has already been drawn in to start in a race that has not yet been contested, the date of that uncontested race shall be its preference date.
- (d) The declarer shall be responsible for providing acceptable evidence of exact preference dates governed by eligible declarations or starts in uncontested races made at other tracks.
- (e) When a race has been reopened for additional declarations, preference shall be given those horses eligible and declared at the time declarations closed originally.
- (f) If conditions so specify, preference can be given two-year-olds, regardless of preference date.

**17.11** Not more than two horses may be drawn as "also eligibles", except for races on which "triactor" wagering is conducted, in which case more than two "also eligibles" are permitted, in accordance with the following provisions:

- (a) Notwithstanding Rule 17.10, "also eligibles" shall be drawn from horses having the best preference, except priority may be given to horses stabled on the grounds.
- (b) No horse shall be added to the race as an "also eligible" unless it was drawn as such at the time declarations closed.
- (c) No horse shall be drawn as an "also eligible" if the required program information cannot be published in the official program.
- (d) No horse may be barred from another race to which it is eligible and had preference, due to the fact that it has been drawn as an "also eligible".
- (e) "Also eligible" horses moved into races shall be posted in the office of the race secretary and their owners or trainers shall be so notified at once.
- (f) All "also eligible" horses not moved into a race by 10.00 a.m. of the day of the race shall be released.
- (g) If an "also eligible" horse is moved into a race it shall be scratched from any subsequent race it has been drawn into, unless preference allows it in.

**17.12** Horses shall be coupled as an entry for pari-mutuel purpose where:

- (a) One person is the owner of two or more horses in a race,
- (b) The spouse of a person who is the owner of one horse in a race is the owner of another horse in that race,
- (c) The spouse of the driver of one of the horses in a race is the owner or trainer of another horse in that race, or
- (d) Subject to Rule 17.13, the trainer of one of the horses in a race is the owner, trainer, or driver of another horse in that race,

**17.13** Where horses would be coupled as one entry pursuant to Rule 17.12(d) for the sole reason that they are trained by the same trainer, the association may, with the consent of the judges, run such horses as separate betting entities, if:

- (a) The race in which the horses are entered is an added money event, and
- (b) The nomination closing date for the race was not less than 5 days prior to the race.

**17.14** For the purpose of pari-mutuel betting, any horses may be coupled as an entry by the judges or where there is any doubt whether such horses should be coupled or where the judges consider it in the public interest to do so.

**17.15** If a race is split into divisions or elimination heats, horses coupled as an entry shall be seeded in separate divisions or elimination heats insofar as possible; first by owners, then by trainers, then by stables; but the divisions or elimination heats in which they are to compete and their post positions shall be determined by lot.

**17.16** The drawings of post positions shall be final, except:

- (a) When there is conclusive evidence that a horse was properly declared but omitted due to error or negligence by an official or employee of the association; then:
  - (i) If the horse omitted by error was declared to an overnight event, it may be added to the race and given the last post position, providing its addition does not exceed the maximum number of starters allowed in a single field. Otherwise, such horse shall not be permitted to start.
  - (ii) If the horse was omitted by an error in calculating preference date and the horse is carded as an "also eligible" it may move in and the programmed horse with the most recent date shall be scratched. In the event that two or more horses programmed have identical dates more recent than the "also eligible" the horse to be scratched shall be determined in accordance with Rule 17.10(a). The post position of the horse moving in shall be determined in accordance with Rule 17.17.
  - (iii) If the horse omitted by error was declared to a stake, futurity, early closing event or late closing event, it shall be added to the race and given the last post position. In such case, if its addition exceeds the maximum

number of starters allowed in a single field, the event shall be divided. In this event, the starters in each division and their post positions will be redrawn by lot.

- (b) When it is found that horses which constitute an entry have been properly declared to an added money event which has split into more than one division and have not been seeded in accordance with Rule 17.15, with the permission of the Director, time permitting, the event shall be redrawn. If time does not permit the redrawing, the event shall go as drawn.

**17.17** In the event one or more horses are excused by the judges, the "also eligible" horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races the "also eligible" horse shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the "also eligible" horse shall take the position on the outside of horses with a similar handicap, except when the horse that is scratched is a trailing horse, in which case the "also eligible" horse shall take the trailing position, regardless of its handicap. In handicap claiming races, in the event of an "also eligible" horse moving into the race, the "also eligible" horse shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the "also eligible" horse shall take the position on the outside of horses with similar handicap, except when the horse that is scratched is a trailing horse, in which case the "also eligible" horse shall take the trailing position, regardless of its handicap.

**17.18** A horse properly declared and drawn in to start, or as an "also eligible", shall not be withdrawn or scratched from the race without the permission of the judges. A fine or suspension may be imposed when this requirement is violated, and the horse may be suspended.

**17.19** After having been drawn in to start in any race, or as an "also eligible", a horse shall not be sold prior to the racing of that particular race.

**17.20** It is the responsibility of the trainers to name the drivers of horses declared to race and it is the trainers further responsibility to ensure that the drivers are available and willing to drive the horses. Drivers shall be named not later than the time to permit this information to be published in the official program. The deadline for naming of drivers will be set by the association, and no driver may be changed thereafter without permission of the judges. Where a programmed driver fails to appear the judges may fine or suspend the trainer.

## Chapter 18

### PLACING AND MONEY DISTRIBUTION

**18.01** Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse's

position in each separate dash or heat of the race. Purse money distribution in overnight events shall be limited to five monies.

**18.02** Unless otherwise specified in the conditions, purse money distribution in dashes shall be 50 percent, 25 percent, 12 percent, 8 percent and 5 percent. In added money events, if there are less than five (5) starters, the remaining premium shall go to the race winner, unless the conditions call for a different distribution. In overnight events, if there are less than five (5) starters, the premium for the positions for which there are no starters may be awarded to the race winner or may be retained by the association but such premiums retained are not to be included in percentages of any agreement between the association and any recognized participant's association.

**18.03** If there are any premiums for which horses started but were unable to finish due to an accident or interference, all unoffending horses that did not finish shall share equally the premiums they would have been entitled to had they finished, and any remaining premiums shall be paid to the race winner.

**18.04** If there are any premiums for which horses started but were unable to finish and the situation is not dealt with by these rules, all such premiums shall be paid to the race winner.

**18.05** Every heat is a race and the purse shall be distributed as in dash races with nothing being required to be set aside for the race winner.

**18.06** In elimination heats, the total purse shall be distributed in accordance with the provisions of Rule 16.32 and the purse for each heat shall be distributed in accordance with these rules.

**18.07** If the placing system is specified in the conditions, the purse shall be distributed according to the standing of the horses in the summary. In order to share in the purse distribution each horse must complete the race and compete in each heat to which it is eligible. A horse must win two heats to be declared the race winner and such horse will stand first in the summary. In deciding the rank of the horses other than the race winner, a horse that has been placed first in one heat shall be ranked better than any other horse that has been placed second in any number of heats; a horse that has been placed second in one heat shall be ranked better than any other horse that has been placed third in any number of heats, etc., e.g., a horse finishing 3-6 would be ranked ahead of another horse finishing 4-4. A horse finishing in a dead heat would be ranked below another horse finishing in the same position and not in a dead heat. If there be any premium for which no horse has maintained a position, it shall go to the race winner.

**18.08** If for any reason a horse is disqualified or declared ineligible, any purse monies or trophies received by the owner, or driving fees paid under rule 18.11 to the driver of the horse, in the race shall be returned to the association for redistribution within 15 clear days of notification.

**18.09** If any division of an early or late closing event, Stake of Futurity is

declared "no contest" by the judges, the total of nomination, sustaining and starting payments applicable to that division shall be divided equally to all unoffending horses deemed to have started. Such distribution shall not be credited as purse winnings.

**18.10** Purses earned outside of North America will be calculated in Canadian dollars based on the current rate of exchange at the time of entry for a race. Winnings in the United States will be deemed to be at par with Canadian funds.

**18.11** Where an agreement exists between a recognized harness participant's association and a racing association, drivers' fees may be deducted from the purses payable to owners and paid to the drivers within 30 days. A copy of such agreement must be filed with the Ontario Racing Commission.

**18.12** All races shall be bona fide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the order of finish. No arrangement for equal distribution of the purse money is permitted.

**18.13** Associations that default in the payment of a premium that has been raced for, shall stand suspended, together with its officers. No deduction, voluntary or involuntary, may be made from any purse, nomination, sustaining or starting payments, except those deductions made from purse monies for overnight events and paid to recognized participant's organizations through agreements with the associations.

**18.14** No addition shall be made to any purse after it is contested unless through error. Money due through contractual arrangements with recognized participant's organizations shall be added to the purse account of the next meeting. Any bonus payments or awards made to owners by associations that is not money due through contractual arrangements with recognized participant's organizations shall not be considered earnings of a horse and shall be excluded from the records of the horse involved.

**18.15** If a race is contested which has been promoted by another party and the promoters thereof default in payment of the amount raced for, the same liability shall attach to the association, as if the race had been offered by the association.

**18.16** An association will not pay a purse for a race less than the amount specified for that race on the condition sheet.

## Chapter 19

### TIME AND RECORDS

**19.01** A record will be the fastest time made by a horse in a heat or dash which it won, or in a performance against time. A standard record is a record of 2:20 or faster for two-year-olds and 2:15 or faster for all other ages.

**19.02** The time of each heat or dash shall be accurately taken by two timers

or an approved electric timing device, in which case there shall be one timer, and placed in the record in minutes, seconds and fifths of seconds, and upon the decision of each heat the time thereof shall be publicly announced or admitted to the record. When the timers fail to act, no time shall be announced or recorded.

**19.03** In any case of alleged error in the record, announcement or publication of the time made by a horse, the time so questioned shall not be changed to favour said horse or owner, except upon the sworn statement of the judges and timers who officiated in the race.

**19.04** In order that performances thereon may be recognized or published as official, every association shall have filed with the Commission the certificate of a duly licensed civil engineer or land surveyor that the track has been measured from wire to wire three feet out from the inside hub rail and certify exactly the result of such measurement. Each track shall be measured and recertified in the event of any changes or relocation of the hub rail.

**19.05** The leading horse shall be timed and its time only shall be announced. The horse shall not obtain a win-race time record by reason of the disqualification of another horse, unless a horse is declared the winner by reason of the disqualification of a breaking horse on which it was lapped.

**19.06** If a horse takes a win-race record in a qualifying race or schooling race, such record must be prefaced with the letter "Q" wherever it appears, except in a case where the horse was subjected to the collection of an official sample. The senior judge shall note on the judges' official race reports each qualifying race from which official samples were collected.

**19.07** In the case of a dead heat, the time shall constitute a record for the horses making the dead heat and both shall be considered winners.

**19.08** The time shall be taken from the first horse leaving the point from which the distance of the race is measured until the winner reaches the wire.

**19.09** Any person found guilty of fraudulent misrepresentation of time or the alteration of the record thereof, in any race, shall be suspended or expelled, and time declared not a record.

**19.10** Time trial performances are permitted subject to the following:

- (a) Official samples are required for all horses starting for a time performance.
- (b) An approved electric timer is required for all time performances. In the event of a failure of a timer during the progress of a time performance, no time trial performance record will be obtained.
- (c) Time trial performances are permitted only during the course of a regular meeting with the regular officials in the judges' stand.
- (d) Time trial performances are limited for two-year-olds who go to equal or beat 2:10, and three-year-olds and over who go to equal or beat 2:05.
- (e) In any race or performance against time, excessive use of the whip shall be considered a violation.

- (f) Time trial performances shall be designated by preceding the time with two capital "T's.
- (g) When a horse performs against time, it shall be proper to allow other horses to accompany it in the performance but not to precede it, or be harnessed with it, or in any way attached to it.
- (h) A break during a time trial is a losing effort and a losing performance shall not constitute a record.

## Chapter 20

### JUDGES' AND VETERINARIANS' LISTS:

**20.01** A horse may be placed on the Judges' List and will be ineligible to race for the following reasons:

- (a) the horse has been declared unfit to race by the Commission Veterinarian because it is sick, lame or otherwise physically unfit to race. This will be known as the Short Term Veterinarians' List.
- (b) the horse has been declared dangerous or unmanageable by the Judges or the Commission Veterinarian or has been placed on the Long Term Veterinarians' List due to chronic physical or health problems.
- (c) proof of a negative Coggins' Test required in accordance with Rule 22.34 is not presented.
- (d) a valid eligibility certificate is not presented for the horse in accordance with Rule 11.08.
- (e) the horse is required to school for the starter in accordance with Rule 31.03.

**20.02** A horse that has been placed on the Judges' List in accordance with the Rules will be ineligible to race until removed therefrom. Only the Judges at an extended meeting shall have the authority to remove a horse that is on the Judges' List in accordance with Rules 20.01(b) or 20.01(e). Horses on the List in accordance with Rule 20.01(a) shall come off the List after five (5) clear days.

Horses on the Judges' List for 20.01(c) and 20.01(d) shall be removed from the List when the documentation has been presented to the Canadian Trotting Association Field Representative.

**20.03** At a meeting where a veterinarian is not available, the judges may order withdrawn from a race a horse that is in their opinion sick, lame or otherwise physically unfit to race.

**20.04** (a) When a horse has been placed on the Judges' List, it shall be recorded in the official performance records by an authorized person. The owner or trainer shall be notified of the reason for such action being taken and it shall be their responsibility to scratch the horse from any races for which the horse may have been declared in to start.

(b) A horse which has been scratched as a result of a veterinarian's slip or by order of the Commission Veterinarian shall not be permitted to be declared to

- race, other than to added money events, for five (5) clear days from the date of the race from which it was scratched.
- (c) A horse which has been scratched twice consecutively as a result of a veterinarian's slip or by order of the Commission Veterinarian must qualify to race. Such qualifying race must be more than five (5) clear days from the date of the second race from which it was scratched.

## Chapter 21

### POSTPONEMENT AND CANCELLATION

**21.01** In case of unfavourable weather or other unavoidable cause, associations with the consent of the judges, shall postpone or cancel races in accordance with the following rules.

**21.02** Added money events shall be postponed to a definite hour on the next scheduled race date when favourable conditions prevail.

**21.03** An early closing event or a late closing event that cannot be raced during the scheduled meeting shall be declared "off" and the total of nomination, sustaining and starting payments divided equally among the owners of eligibles in proportion to the number of horses declared to start.

**21.04** An early closing event or late closing event that has been started, but remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary.

**21.05** Stakes and futurities should be raced where advertised and the meeting may be extended to accomplish this. Any stake or futurity that has been started, but which remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary, except where the association elects to extend the meeting to complete the race. Horses that are scratched after a heat and before the race is declared finished shall not participate in purse distributions for subsequent heats in the event the race is called off and declared finished.

**21.06** Unless otherwise provided in the conditions, in order to transfer stakes and futurities to another meeting, unanimous consent must be obtained from the association and all those having eligibles in the event.

**21.07** At extended meetings, overnight events may be postponed and rescheduled within two days, or may be cancelled if circumstances or weather conditions warrant. Postponed overnight events not raced within two days shall then be cancelled.

**21.08** At non-extended meetings, overnight events shall be cancelled, unless the association is willing to add the postponed races to the advertised program for subsequent days of the meeting. At the option of the association, any postponed races may be contested in single one-mile dashes. Where races are

postponed under this rule, the association shall have the privilege of selecting the order in which events will be raced in any combination program.

**21.09** If the track conditions are questionable for the warming up or racing of horses, the judges shall convene a meeting with the representative of the drivers and trainers and a representative of Management. If required by the judges, the driver's and trainer's representative shall conduct a secret ballot of the drivers and trainers of horses participating in that program of racing to determine whether racing should be conducted. If the vote of the drivers and trainers determines that more than 50% vote against racing, the card shall be cancelled. If more than 50% and less than 75% vote to race, trainers will be allowed to withdraw horses without penalty. If more than 75% vote to race the regular rules of withdrawal and scratching of horses will apply. The foregoing does not prevent race track management from cancelling the races due to track or weather conditions without consultation with the judges and the horsemen's representative.

**21.10** If qualifying races are postponed or cancelled, an announcement shall be made to the participants as soon as the decision is made.

## **Chapter 22**

### **RACING RULES**

**22.01** The pari-mutuel manager shall establish post time for each race and the judges shall call the horses on the track at such time as to preclude excessive delay after the completion of one or two scores.

- (a) The time between separate heats of a single race shall be no less than forty (40) minutes.
- (b) Horses called for a race shall have the exclusive right of the course, and all other horses shall vacate the racing strip as soon as possible.
- (c) In the case of accidents, only so much time shall be allowed as the judges may deem necessary and proper.
- (d) A curfew shall be set at 11:55 p.m., for post time for the last race on any program.
- (e) All sulkiies must be equipped with mudguards at all extended meetings when deemed necessary by the judges.
- (f) Horses are permitted to take one or two scores, unless excused by the judges, before going to the post and upon completion of the last score, the horses shall be gathered by the starter and then immediately moved into their positions behind the gate. Horses may be held on the backstretch not to exceed two minutes awaiting post time, except when delayed by emergency.
- (g) In the event there are two tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier, except as provided for in handicap claiming races. Whenever a horse is drawn from any

tier, horses on the outside move in to fill up the vacancy. When there is only one trailer he may start from any position in the second tier. When there is more than one trailer they must start from inside any horse with a higher post position.

**22.02** (a) All races must be started with a mobile starting gate of approved design. No person shall be allowed to ride in the starting gate except the starter, the driver and a patrol judge without the permission of the judges. The starting gate must be equipped with two-way communications to the judges' stand and a mechanical loudspeaker to be used for the sole purpose of communicating instructions to drivers. Other use of the loudspeaker is a violation.

(b) Notwithstanding rule 22.02 (a) the judges may, in exceptional circumstances, allow races to be started without a starting gate. When horses are started without a gate the starter shall have control of the horses from the formation of the parade until he gives the word "Go". He shall be located at the wire or other point of start of the race at which point as nearly as possible the word "Go" shall be given. No driver shall cause unnecessary delay after the horses are called. After not more than two preliminary warming up scores, the starter shall notify the drivers to form in parade.

**22.03** The starter shall have control of the horses from the formation of the post parade until a start has been determined. For purpose of this rule, the determination of the start is when the horses have passed the starting point and have been released by the starter.

- (a) The horses shall be brought to the starting gate as near one quarter of a mile before the start as the track will permit.
- (b) The starter shall cause the gate to move towards the starting point, gradually increasing the speed of the gate to maximum speed.
- (c) The starting point will be the point marked on the inside rail, a distance of not less than 200 feet from the first turn. The starter shall release the horses at the starting point.
- (d) When a speed has been reached in the course of a start there shall be no decrease, except in the case of a recall.
- (e) The horses shall be deemed to have started when released by the starter at the starting point which will be the official start unless a recall has been sounded and all horses must go the course unless dismissed by the starter or, in the opinion of the judges, it is impossible to do so.
- (f) If, in the opinion of the judges or the starter, a horse is unmanageable or liable to cause accidents or injury to any other horse or to any driver, it may be sent to the barn. When this action is taken, the starter will notify the judges who shall scratch the horse.
- (g) In case of a recall, a light visible to the drivers shall be flashed and a recall sounded. If possible, the starter shall leave the wings of the starting gate open

and gradually slow the speed of the gate to assist in stopping and turning the field. Drivers shall take up their horses and return, without delay, to the point where fields are gathered for the start.

- (h) There shall be no recall after the horses have been released by the starter.
- (i) The starter shall endeavour to get all horses away in position and on gait. The starter shall only sound a recall for the following reasons:-
  - (i) A horse scores ahead of the starting gate.
  - (ii) There is interference before the horses have reached the starting point.
  - (iii) A horse has broken equipment, which the starter notices.
  - (iv) A horse falls before the starting point.
  - (v) A horse coming to the starting gate in the wrong position.
  - (vi) A malfunction of the starting gate or in the interests of safety.
- (j) A fine not to exceed one hundred dollars (\$100.00) or suspension from driving not to exceed fifteen (15) days, or both, may be applied to any driver by the starter, or the judges, for:
  - (i) Delaying the start.
  - (ii) Failure to obey the starter's instructions.
  - (iii) Allowing a horse to pass the inside or the outside wing of the gate.
  - (iv) Coming to the starting gate in the wrong position.
  - (v) Crossing over before reaching the starting point.
  - (vi) Interference with another horse or driver during the start.
  - (vii) Failure to come into position or remain in position on the gate when ordered to by the starter.
- (k) The Fair Start Pole is a pole erected at the point approximately ten feet nearer the starting point than the pole 1/16th of a mile before the start. The Fair Start Pole shall be yellow in colour and shall protrude at least two feet above the inner rail.
- (l) If a horse has not reached the "Fair Start Pole" when the horses are released at the starting point by the starter, the judges shall cause the "inquiry" sign to be displayed immediately.

**22.04 When, before a race starts:**

- (a) A horse is a runaway or a horse falls, such horse shall be examined by the Commission Veterinarian in attendance and if the horse is not ordered scratched by the veterinarian, the judges may permit the horse to compete.
- (b) A driver is unseated and appears to have been injured, the horse that was being driven by that driver may compete with a substitute driver.

**22.05 A driver shall not commit any of the following acts which are considered violations of driving rules:-**

- (a) Change course or position, or swerve in and out, or bear in and out during any part of the race in such a manner as to compel a horse to shorten its stride or

cause another driver to change course, take his or her horse back, or pull his or her horse out of its stride.

- (b) Impede the progress of another horse or cause it to break from its gait.
- (c) Cross over too sharply in front of another horse or in front of the field.
- (d) Crowd another horse by 'putting a wheel under it'.
- (e) Allow another horse to pass needlessly on the inside, or commit any other act that helps another horse to improve its position.
- (f) Carry another horse out.
- (g) (i) Take up or slow up in front of other horses so as to cause confusion or interference among the trailing horses.
  - (ii) Take up or slow up in front of other horses and then subsequently come on when challenged.
  - (iii) Maintain an outside position without making the necessary effort to improve his or her position.
- (h) Strike or hook wheels with another sulky.
- (i) Lay off a normal pace and leaving a hole when it is well within the horse's capacity to keep the hole closed.
- (j) Drive in a careless or reckless manner.
- (k) Fail to set or maintain a pace comparable to the class in which he or she is racing by going a slow quarter or any other distance, considering the horse's ability, track conditions, weather, and circumstances confronted in the race.
- (l) Fail to properly contest a slow pace.

**22.06** A complaint by a driver of any foul, violation of the rules, or other misconduct during a race shall be made immediately after the race to which it relates, unless the driver is prevented from doing so by an accident or injury or other reasonable excuse. A driver desiring to enter a claim of foul, or other complaint of violation of the rules, shall make this known to the nearest patrol judge and shall proceed forthwith to the paddock telephone to communicate immediately with the judges. The judges shall not cause the official sign to be posted until the matter has been dealt with.

**22.07** A driver shall be guilty of a violation for failure to report any infraction that occurred during a race, or for lodging a complaint which the judges deem to be frivolous.

**22.08** If a violation is committed by a person driving a horse coupled as an entry in the betting, the judges shall set both horses back if, in their opinion, the violation may have affected the finish of the race, otherwise penalties may be applied individually.

**22.09** In the case of interference, collision, or violation of any rules, the offending horse may be placed back one or more positions in that heat or dash, and in the event of such collisions, interference or violation preventing any horse from finishing the heat or dash, the offending horse may be disqualified from

receiving any winnings and the driver may be fined or suspended. If a horse is set back, it must be placed behind the horse with which it interfered. If an offending horse has interfered with a horse involved in a dead heat and the offending horse is set back, it must be placed behind the horses in the dead heat.

**22.10** If the judges believe that a horse is, or has been driven with design to prevent it winning a race or races, they shall consider it a violation by the driver.

**22.11** If the judges believe that a horse has been driven in an inconsistent manner, they shall consider it a violation.

**22.12** If the judges believe that a horse has been driven in an unsatisfactory manner due to lack of effort, they shall consider it a violation.

**22.13** If the judges believe that a horse has been driven in an unsatisfactory manner due to carelessness, they shall consider it a violation.

**22.14** If a horse chokes or bleeds during a race, the driver of that horse is required to report this to the judges immediately after the race. This information shall be contained in the official past performance line of that horse.

**22.15** If, in the opinion of the judges, a driver is for any reason unfit or incompetent to drive, or is reckless in his or her conduct and endangers the safety of horses or other drivers in a race, he or she shall be removed and another driver substituted at any time and the offending driver may be fined, suspended or expelled.

**22.16** If for any cause other than being interfered with, or broken equipment, a horse fails to finish after starting a race, that horse shall be ruled out. If it is alleged that a horse failed to finish a race because of broken equipment, this fact must be reported to the paddock judge who shall make an examination to verify the allegation and report the findings to the judges.

**22.17** A driver must be mounted in the sulky at the finish of the race or the horse must be placed as not finishing.

**22.18** Loud shouting or other improper conduct in a race is forbidden.

**22.19** Drivers shall keep both feet in the stirrups during the post parade and from the time the horses are brought to the starting gate and until the race has been completed.

**22.20** Drivers will be allowed to use whips not to exceed four feet and eight inches in length plus a snapper not to exceed eight inches in length.

**22.21** (a) The use of any goading device, or chain, or spur, or mechanical or electrical device other than a whip as allowed in the rules, upon any horse, shall constitute a violation.

(b) The possession of any mechanical or electrical goading device on the grounds of an association shall constitute a violation.

(c) The judges shall have the authority to disallow the use of any equipment or harness that they feel is unsafe or not in the best interests of racing.

**22.22** Brutal or excessive or indiscriminate use of a whip, or striking a horse

with the butt end of a whip, or by striking a wheel disc of a sulky with a whip, shall be a violation.

**22.23** Whipping a horse by using the whip below the level of the shafts or the seat of the sulky or between the legs of the horse shall be a violation.

**22.24** Any person removing or altering a horse's equipment or hopples without permission of the judges, is in violation of the rules.

**22.25** Any owner or trainer who wishes to change any equipment or hopples on a horse from one race to another shall apply in writing to the judges for permission to do so, and no change shall be made without such permission. The judges shall assure themselves of the necessity for any change of equipment or hopples before granting permission. Any such change as using or not using hopples or a change of a nature which the judges are of the opinion that the public should be advised, must be shown on the program or announced to the public before any wagering occurs on that race.

**22.26** No horse will be permitted in a race to wear any type of equipment that covers, protrudes, or extends beyond its nose that in any way could interfere with the true placing of the horse.

**22.27** When a horse breaks from its gait in a race the driver shall:

- (a) Take the horse to the outside of other horses where clearance exists; and
- (b) Properly attempt to pull the horse to its gait; and
- (c) Lose ground while on the break.

If there has been no violation of (a), (b) or (c) above, the horse shall not be set back unless a contending horse on its gait is lapped on the hind quarter of the breaking horse at the finish. The judges may set any horse back one or more places if, in their judgment, any of the above violations have been committed, or if the horse goes on a break for an eighth of a mile or more, and the driver may be penalized.

**22.28** If, in the opinion of the judges, a driver allows a horse to break for the purpose of losing a race, he or she shall be in violation of the rules.

**22.29** It shall be the duty of one of the judges to call out every break made and have them duly recorded in judges official race reports.

**22.30** The horse whose nose reaches the wire first is the winner. If there is a dead heat for first, both horses shall be considered winners. In races having more than one heat or dash, where two horses are tied in the summary, the winner of the longer dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same distance and the horses are tied in the summary, the winner of the faster dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same time, both horses shall be considered winners and the entitlement of the trophy will be decided lot.

**22.31** The wire or finish line is a real line established with the aid of a

surveyor's transit, or an imaginary line running from the centre of the judges' stand to a point immediately across and at right angles to the track.

**22.32** Where the judges determine that, after the horses have been released at the starting point, a horse or horses were prevented from having a fair chance to contest a race, due to exceptional circumstances, and it is deemed in the public interest to do so, such horse or horses shall be declared non-contestants and the provisions of the Race Track Supervision Regulations of the Criminal Code pertaining to refunds shall apply.

**22.33** If, in their opinion, the judges are unable to properly judge the running or finish of a race they may declare the race to be "No Contest". When a race has been declared "No Contest" by the judges, all monies wagered on that race will be distributed in accordance with the provisions of the Race Track Supervision Regulations of the Criminal Code. No charted line or purse distribution is to be made to any of the horses that started in such race except as provided for in Rule 18.09.

**22.34** It is the responsibility of the trainer that all horses racing in his/her custody have a negative Coggins Test Certificate properly identifying the horse and issued by a laboratory approved by Agriculture Canada certifying that within the prior twelve (12) months, the horse has been tested negative for equine infectious anemia (EIA). Proof of a valid negative Coggins Test shall be presented to the race secretary before the horse starts. If at that time it is determined that a horse already declared to race does not have proof of a valid negative Coggins Test, the horse shall be permitted to contest the race and immediately thereafter the judges shall place the horse on the Judges' List. The horse shall not race thereafter until such time as a valid Goggins Test Certificate is presented to the Canadian Trotting Association Representative.

**22.35** If during the preliminary scores or during a race a driver is unseated in such a manner that he or she falls to the ground, the judges may direct the driver to report to the infirmary or to the emergency department of the nearest hospital for examination and receive written clearance to continue with driving assignments on that day of racing.

**22.36** If a horse is going to warm-up it must go its last warm-up mile on the same racing strip as it will compete on unless excused by the judges.

## Chapter 23

### RULES & VIOLATIONS COMMON TO ALL PARTICIPANTS

**23.01** A protective helmet constructed of a hard shell and containing adequate padding must be worn at all times on the premises of a racing association when jogging, training, racing or warming up a horse prior to racing. A driver when racing must have a chin strap securely fastened in place under the

chin from the time of the formation for the post parade until the completion of a race.

Effective January 1, 1987, when a participant is competing in a race, the protective helmet must meet, as a minimum, the Snell Foundation Standard for protective harness racing headwear.

**23.02** Leading of horses on the main racing strip of a racing association is prohibited between the hours of 8:00 a.m. and 12:00 noon.

**23.03** Only trainers, drivers and grooms of horses competing on that date are entitled to admission to the paddock. Once admitted, such persons shall not leave the same until all races for which they were admitted are contested, unless leaving for the purpose of warming up or driving a horse or permission to leave has been granted by the paddock judge.

**23.04** In the event any participant is involved in an accident on the track, the judges may order such participant to submit to a physical examination.

**23.05** When directed, the judges, racing officials, trainers and drivers shall be required to submit to a breath analysis test at any program at which they officiate or participate. When such a test results in a reading of .03 percent or more of alcohol in the blood, the operator shall report such finding at once to the judges. A driver showing a reading of .03 percent or more shall be subject to the following penalties:

- (a) If the reading is more than .03 percent and not more than .05 percent, he or she shall be suspended from driving for that day and shall be fined \$100.00 for a first offence, and fined \$300.00 and suspended for driving for a period of 15 days for a second offence committed with a 24 month period. Further offences shall be referred to the Commission.
- (b) If the reading is more than .05 percent, he or she shall be suspended for that day. Also, he or she shall be fined \$200.00 for a first offence, and fined \$500.00 and suspended from driving for a period of 30 days for a second offence committed with a 24 month period. Further offences shall be referred to the Commission.

**23.06** Participants, other than drivers programmed to drive showing breath analysis test readings of more than .05 percent of alcohol in the blood shall be immediately relieved of their duties and may be subject to a suspension, fine or both.

**23.07** The judges, racing officials, association or Commission employees showing breath analysis test readings of more than .05 percent of alcohol in the blood shall be immediately relieved of their duties and the matter referred to the Commission.

**23.08** Any person who refuses to submit to a breath analysis as required by the rules is liable to a \$200.00 fine for the first offence and a \$500.00 fine and a suspension of sixty (60) days for the second offence. Drivers who refuse to submit

to a test shall be taken off all drives for that day of racing. Repeated offences shall result in further penalties being determined by the judges.

**23.09** When a participant fails a breath analysis and is referred to the judges, the judges shall adjourn the hearing long enough to enable them to ascertain from the office of the Commission, or the Canadian Trotting Association, whether or not such person has previously been suspended for a similar offence.

**23.10** Not Used

**23.11** (a) Whether breath analysis testing equipment is or is not available, and if due to alcohol or drug impairment, a person is unfit to drive, or carry out his or her duties, or whose conduct may reflect adversely on the sport, he or she shall forthwith be suspended for the remainder of that day and may be subject to a further suspension and fine as the judges or other officials see fit.

(b) The personal use by a participant of any controlled substance, stimulant, depressant, narcotic or hypnotic is prohibited. Random urine or blood sampling for drug use may be carried out on the instruction of the Supervisor of Standardbred Racing. If, after the testing of a sample, an approved laboratory reports a positive test, the participant shall be subject to a fine or a suspension or both.

Further, drivers shall not be permitted to drive until any suspension has expired and a negative test at his or her expense is produced to the Commission.

**23.12** Any official who fails to report a participant, whom he or she might reasonably determine to have been consuming alcoholic beverages or drugs, to the judges shall be guilty of a violation and shall be fined or suspended, or both.

**23.13** Violation of the following shall make offenders liable to a fine or suspension:

- (a) Failure to drive when programmed without having been excused by the judges.
- (b) Use of offensive or profane language.
- (c) Smoking on the track within two hours of post time of the first race on the program.
- (d) Failure to wear silks when warming up a horse prior to racing.
- (e) Disturbing the peace.
- (f) Failure to have proper saddle cloth on a horse when warming up for a race.
- (g) Failure to participate in, or being late for a post parade without permission of the judges.
- (h) Failure to have proper head number and saddle cloth on a horse when racing.

**23.14** A person shall not use improper language to any racing official, officer of an association or official of the Commission, or be guilty of any improper conduct towards such officers or judges, or persons serving under their orders.

**23.15** A person, at any time or place, shall not commit an assault and battery

upon any participant, or shall not threaten to do bodily injury to any participant, or shall not address any participant with insulting or offensive language.

**23.16** If any owner, trainer or driver threatens to join with others in threatening not to race, or not to declare in because of the declaration of a certain horse or of a particular stable, thereby compelling or trying to compel the race secretary to reject certain eligible declarations, it shall be immediately reported to the judges and, if found guilty, the offending parties may be suspended.

**23.17** An owner, lessee, agent, trainer or driver who has declared a horse to a race shall not demand of the association a bonus of money or special award or consideration as a condition for starting the horse.

**23.18** An owner, trainer, driver, agent, employee or groom shall not have pari-mutuel tickets in his or her possession, or bet or cause any other person to bet on his or her behalf, on any other horse in any race in which a horse owned, trained, or driven, or in which he or she in any way represents or handles as a starter; except in the case of feature wagering events where an owner, trainer, driver, agent, employee, groom may bet, or cause any other person to bet on his or her behalf, only on combinations in which his or her horse or entry is selected in the "Win" position.

**23.19** If any person is approached with any offer or promise of a bribe fraudulent in its nature, or for any improper, corrupt or fraudulent act in relation to racing, it shall be the duty of such person to report the details thereof immediately to the judges.

**23.20** A participant shall be guilty of a violation of the rules for wrongfully attempting to or succeeding to affect the outcome of any race, either individually or in concert with another.

**23.21** A participant shall be guilty of a violation of the rules:

- (a) for any misconduct which is injurious to racing although not specified in these rules; or
- (b) for any misconduct prejudicial to the best interests of racing; or
- (c) for committing or attempting to commit any other act injurious to racing.

**23.22** Providing inaccurate information about a horse, or attempting to have misleading information given in a program is prohibited and violators may be fined, suspended or expelled.

**23.23** Corrections to information contained in eligibility certificates can be made only by the judges or an authorized official and any participant tampering with an eligibility certificate to effect unauthorized changes or entries may be fined, suspended or expelled. Furthermore, any winnings made thereafter may be ordered forfeited.

**23.24** Any participant committing an act of cruelty or neglect to a horse, whether on or off the grounds of an association, shall be liable to a fine or suspension or both.

**23.25** In any investigation or case, whether or not an oath is administered, if the participant knowingly withholds information or misleads the investigators or the judges, it shall constitute a violation.

**23.26** Whenever reasonable grounds exist for a belief that any participant can give material evidence that would aid in the detection or exposure of any fraud or wrongdoing concerning racing, such participant shall, on the order of the judges or other authorized official, be compelled to testify by deposition or affidavit. Failure of any participant to comply will result in immediate full suspension.

## **Chapter 24**

### **PROTESTS**

**24.01** A protest is an objection charging that a horse is ineligible to a race, alleging improper nomination or declaration of a horse, or citing any act of an owner, trainer, driver or official prohibited by the rules and which, if true, should exclude the horse or driver from the race.

**24.02** Protests must be made no later than fifteen (15) clear days following the race in question and must contain at least one specific charge which, if true, would prevent the horse from competing in the race or from winning purse money. The judges may require that protests be reduced to writing and sworn to. If more than fifteen (15) clear days have passed since the race was run no adjustments shall be made to purses or placing or records in the races contested after the time other than for positive tests. Notwithstanding the above, the Commission may review any allegation, at any time, that a horse was ineligible and take what action they deem appropriate against the owner, trainer, driver or race secretary who declared the horse or allowed the horse to be declared and to race.

**24.03** Every protest shall be determined by the judges. Should the protest not be determined prior to the race, the horse shall be allowed to race under protest. Any purse money that may be affected by the outcome of the protest shall be held by the association pending the judges' decision.

**24.04** When a protest has been duly made it shall not be withdrawn or surrendered without approval of the judges.

**24.05** Any person found guilty of making a protest falsely or without cause shall be liable to a fine, or suspension, or expulsion.

**24.06** If the placings of a race are altered as a result of a protest, purse money for the race shall be distributed according to the decision made on the protest. The eligibility of horses involved in protests that may participate in subsequent races pending determination of the protest is not affected.

**24.07** Rulings on protests which affect purse money or order of finish after the race was declared official shall have no effect on the distribution of pari-mutuel pools.

## Chapter 25

### APPEALS

**25.01** An appeal is a request to review any decisions or rulings of the judges or delegated officials. An appeal may deal with placings, penalties, interpretations of the rules, or other questions dealing with the conduct of racing. Appeals shall lie to:

- (a) The Commission, if the rules so specify or if the decision imposes a fine of \$300.00 or more or a suspension of thirty (30) days or more or from a decision of the Ontario Racing Industry Board of Appeal;
- (b) The Ontario Racing Industry Board of Appeal, if the decision imposes a fine of less than \$300.00 or a suspension of less than thirty (30) days, except that the Commission may hear such appeals on the order of the Director with the consent of the Appellant.

The persons appointed from time to time to the Ontario Racing Industry Board of Appeal may be recommended by the racing industry and approved by the Commission.

**25.02** The procedures, practices and policies of the Ontario Racing Industry Board of Appeal will be as set out by the Commission and in accordance with the Statutory Powers Procedures Act R.S.O. 1980.

**25.03** An appeal lodged in accordance with Rule 25.01 must be based upon a specific charge which, if true, would warrant modification or reversal of the decision. As a result of hearing an appeal, the Commission or the Board of Appeal may uphold, rescind, modify or increase any penalty imposed. After due notice, any appellant who fails to appear at the hearing of his or her appeal without good cause, may be fined or suspended.

**25.04** Notice of intent to appeal to the Board of Appeal or the Commission must be given to the judges or to the Secretary-Treasurer of the Commission within forty-eight (48) hours of receipt of notice of the decision or ruling being appealed. A further eight days is accorded to file the appeal with the judges or the Secretary-Treasurer of the Commission. All appeals shall be in writing and must be completed upon a form furnished by the Commission.

**25.05** Purse money affected by an appeal shall be held by the association pending disposition.

**25.06** Pending disposition of an appeal, all penalties imposed shall continue in full force and effect except when stayed by order of the Director.

**25.07** The official performance records shall reflect the judges' decision in all cases until all appeal procedures and remedies are exhausted. The eligibility of horses to the conditions of races will be in accordance with the judges' decision as shown on the official performance records and will not be subsequently affected by the outcome of the appeal process. Whatever the final outcome of the appeal,

the horse cannot be retroactively declared ineligible at races already contested prior to the appeal decision.

**25.08** The Board of Appeal shall have the power to levy costs wholly or in part to the appellant, but such costs shall not exceed \$300.00.

**25.09** A ruling of the Board of Appeal or the Commission which affects the distribution of purse money or order of finish of a race after the race had been declared official shall have no bearing on the distribution of pari-mutuel pools.

**25.10** Decisions rendered by the Board of Appeal may be further appealed to the Commission. The notice and filing of the appeal is to be as outlined in 25.04.

**25.11** At the conclusion of an appeal to the Commission, the Commission may uphold, rescind, modify or increase any penalty imposed by the Board of Appeal, the judges or delegated official, and may assess costs not to exceed \$300.00.

## **Chapter 26**

### **DRIVERS**

**26.01** A person shall not drive a horse in any race or performance against time, other than an exhibition race, without having first obtained a driver's licence valid for the current year by meeting the standards as laid down by the Canadian Trotting Association and being licensed by the Commission. The licences shall be presented to the judges prior to participating for the first time at any race meeting. Valid categories of licences are:

- (a) "A", a full general licence valid for all meetings;
- (b) "B", an apprentice licence valid for all meetings, subject to satisfactory performance;
- (c) "C", a beginner's licence valid for non-extended meetings and for qualifying and overnight races at extended meetings, subject to the approval of the judges;
- (d) "F", a fair licence valid for non-extended meetings and fairs;
- (e) "P", a probationary licence valid for all meetings in accordance with the terms of the probation.

Failure to comply with this rule shall constitute a violation by the participant.

#### **26.02**

- (a) Drivers must carry their licence on their person at all times while participating. Failure to do so is a violation.
- (b) The judges may review the performance of a driver at any time and may take the following actions:
  - (i) Amend the licence category
  - (ii) Revoke the licence
  - (iii) Apply conditions to the licence

- (iv) Require the driver to re-qualify for his or her licence in accordance with the Canadian Trotting Association Regulations.
- (c) All rulings issued by the judges under Rule 26.02(b) may be appealed to the Ontario Racing Industry Board of Appeal. Notice of Appeal is to be lodged in accordance with Rule 25.04.

**26.03** Drivers must report to the paddock judge at least one hour before post time of any race in which they are programmed to drive, unless excused by the judges. When programmed to drive in any race that is part of the "Daily Double" races, drivers must be in the paddock at least one hour before post time of the race which comprises the first half of the "Daily Double", unless excused by the judges. Where advanced wagering takes place on any feature betting race, drivers programmed to drive in such races must make their presence known to the paddock judge prior to commencement of the advanced wagering.

**26.04** Drivers must wear distinguishing colours, and shall not be permitted to drive in a race or other public performance unless, in the opinion of the judges, they are properly dressed, their driving outfits are clean and they are well groomed. During inclement weather conditions, drivers must wear rain suits in either of their colours or made of a transparent material through which their colours can be distinguished.

**26.05** A driver cannot decline to be substituted by the judges. Any driver who refuses shall be suspended and may be fined.

**26.06** A driver shall not enter the public stands or the betting area until their driving duties for the day have been completed and only then after they have replaced their driving outfits with ordinary clothing.

**26.07** The judges may remove a driver at any time if, in their opinion, his or her driving would not be in the best interests of harness racing.

**26.08** A driver shall not drive for any other person in a race in which one of the horses he or she trains or owns has been declared into race, except where such horses are coupled as an entry.

**26.09** Drivers shall fulfil all engagements, unless excused by the judges.

**26.10** A driver shall not be engaged to drive in a race if he or she has already been engaged to drive a horse programmed as an "also eligible" in that race, except when permitted by the judges.

**26.11** All fines imposed on a driver shall be paid by the driver and no other person.

## Chapter 27

### TRAINERS AND GROOMS

**27.01** A person shall not train horses, or be programmed as trainer of record at extended meetings, without first having obtained a trainer's licence valid for the current year by meeting the standards for trainers, as laid down by the Canadian

Trotting Association and being licensed by the Commission. The holder of a driver's licence issued by the Canadian Trotting Association is entitled to all privileges of a trainer and is subject to all rules respecting trainers. Valid categories of licences are:

- (a) "A", a full licence valid for all meetings and permitting operation of a public stable.
- (b) "F", a licence category restricted to the training of horses while owned by the holder and/or his or her immediate family at all race meetings. No new "F" licenses will be issued in Ontario after January 1st, 1986. "F" licenses valid as of December 31st, 1985 will be honoured and eligible for renewal.

**27.02** A trainer shall be responsible at all times for the condition of all horses trained by him or her. No trainer shall start a horse or permit a horse in his or her custody to be started if he or she knows, or if by the exercise of reasonable care he or she might have known, or have cause to believe that the horse was not in a fit condition to race, or has received any drug that could result in a positive drug test. Every trainer must guard, or cause to be guarded, each horse trained by him or her in such a manner and for such period of time prior to racing the horse so as to prevent any person from administering any drug resulting in a positive test. Every trainer must also protect the horse and guard it against wrongful interference or substitution by anyone in connection with the taking of an official sample. (See also 9.09)

**27.03** Failure by a trainer to protect a horse and guard it against wrongful interference or substitution in connection with the taking of a urine sample will result in the trainer being held responsible for the wrongful interference or substitution.

**27.04** If a trainer is to be absent from the track where his or her horses are participating in races, he or she must obtain a licensed trainer to substitute for him or her during his absence. Such substitute must be approved by the judges. The original trainer is responsible for the horses he or she has declared in to start. The substitute trainer will then become responsible for any additional horses he or she may declare in to start.

**27.05** When the judges decide that someone other than the officially named trainer of record is actually in charge, custody of, or in care of a horse, the judges shall have the right to hold such person responsible instead of, or in addition to, the person named as trainer of record.

**27.06** A person shall not represent himself or herself to be the trainer of a horse unless he or she is training that horse.

**27.07** The trainer of record of a horse shall be responsible to ensure that any person he or she delegates or permits to take the horse on the track for a warm-up before a race is licensed as a trainer.

**27.08** Applicants for grooms' licenses must be bona fide grooms and must

have their status confirmed by the trainer actively utilizing their services. A person under ten (10) years of age will not be issued a groom's licence.

**27.09** It shall be the responsibility of a trainer to determine that every assistant trainer or groom employed by him or her during a meeting is licenced for the current year by the Commission and, if applicable, licenced by the Canadian Trotting Association for insurance purposes.

**27.10** It shall be the responsibility of a trainer to refuse employment to any person required to be licensed when he or she has reason to believe that the person has not been licensed by the Commission or the Canadian Trotting Association, where applicable. He or she is required to report the circumstances to the judges. A fine may be imposed for a violation of this rule.

**27.11** It shall be the responsibility of a trainer to have the horses under his or her care, and which are programmed to race, properly equipped and in the paddock at the time prescribed at that track.

**27.12** A trainer shall not start a horse or permit a horse in his or her custody to be raced if he or she knows or if by the exercise of reasonable care he or she might have known or have cause to believe that the horse is not physically fit to race. When a trainer believes that a horse is not physically fit to race, it is his or her responsibility to have the horse checked by a veterinarian and have that veterinarian certify that the horse is unfit to race and present such certification to the Commission veterinarian.

**27.13** The trainer of record of a horse declared to race is responsible for the eligibility of the horse.

**27.14** The trainer of record of a horse shall be a licensed trainer who has the day-to-day care and custody of the horse and is responsible for the training, allocation or direction of training duties at the stable. The trainer of record may only be changed by written notice to the judges by either the registered owner or owners of the horse or the existing trainer of record.

## **Chapter 28**

### **OWNERS**

**28.01** An owner is the full owner, part owner, or lessee of a registered standardbred horse that has qualified or has been programmed to race at an Ontario raceway within the preceding six months.

**28.02** An owner, lessee or stable member shall not have any interest whatsoever in any horse declared to race without first having obtained a licence valid for the current year from the Commission.

**28.03** Owners, lessees or stable members of horses competing on the date of the race shall be entitled to admission to the paddock. An owner once admitted to the paddock and having left, may only be re-admitted if he or she has a horse competing in a later race.

## Chapter 29

### RACING, FARM, CORPORATE OR STABLE NAME

**29.01** Stable names, multiple ownerships and estates may be licenced to race provided the stable name, multiple ownership or estate is first registered with the Canadian Trotting Association and licensed by the Ontario Racing Commission.

Where the owner of a horse is a stable name, multiple ownership or an estate, the following persons must apply for and be granted licences:

- (a) in the case of a corporation with less than ten (10) shareholders:
  - (i) the corporation,
  - (ii) every director, and
  - (iii) every shareholder;
- (b) in the case of a corporation with ten (10) or more shareholders, but less than fifty (50):
  - (i) the corporation,
  - (ii) every director, and
  - (iii) every shareholder holding or controlling a number of shares giving him or her twenty (20) percent or more of the voting rights in the corporation;
- (c) in the case of a corporation with fifty (50) or more shareholders or which is registered with a Canadian stock exchange:
  - (i) the corporation,
  - (ii) every director or every member of the executive committee of the board of directors,
  - (iii) every person acting as chairperson, secretary or holding a similar office,
  - (iv) the person responsible within the corporation for the activities for which the licence is required, and
  - (v) every shareholder holding or controlling a number of shares giving him or her ten (10) percent or more of the voting rights in the corporation;
- (d) in the case of a general partnership:
  - (i) the partnership, if five or more partners,
  - (ii) the manager or any person holding a similar office, and
  - (iii) every partner;
- (e) in the case of a limited partnership:
  - (i) the limited partnership,
  - (ii) the general partner and where the general partner is a corporation or a general partnership, the persons covered by sub-sections (a), (b), (c) and (d) of this section, and
  - (iii) the manager or the general partner or any person holding a similar office;
- (f) in the case of a registered stable name:
  - (i) the stable name, and

- (ii) the owner or owners of the stable;
- (g) in the case of an estate,
- (i) the estate, and
  - (ii) the executors of the estate;
- (h) the foregoing provisions of this section do not apply with respect to any shareholder of a corporation, to a maximum of two shareholders per corporation, not otherwise in violation of this rule, if each of the one or two such shareholders:
- (i) legally holds shares in a corporation merely in order to meet the statutory requirements of the jurisdiction in which the corporation is incorporated and otherwise has no beneficial interest in the corporation, or
  - (ii) is not an active participant in the management of the affairs of the corporation, apart from being a director, or
  - (iii) holds less than one (1) percent of the issued and outstanding shares of the corporation.

**29.02** Any liability of a registered stable, multiple ownership or estate and any penalty imposed upon it shall apply to all of the members or shareholders required to be licenced under Rule 29.01 and/or any horse owned wholly or in part by the stable, multiple ownership or estate.

**29.03** Any suspension of a participant required to be licenced under Rule 29.01 will include any horse owned wholly or in part by the stable, multiple ownership or estate.

**29.04** In the event one or more of the members of a registered stable is suspended, the suspension shall also include any horse owned wholly or in part by the stable.

## Chapter 30

### RACING SECRETARY

**30.01** The racing secretary shall:

- (a) receive and keep safe in his or her custody any documents required to permit a horse to compete at the race meet or stabled on the grounds owned or cared for by the association and return same to the owner or representative upon request; and
- (b) Be familiar with the age, class and competitive ability of all horses racing at the meeting; and
- (c) Classify and reclassify horses in accordance with the rules; and
- (d) Write conditions and schedule the racing programs to be presented at the race track and post same not less than twenty-four (24) hours before declarations close; and
- (e) Provide for the listing of horses in the racing program, examine all entry blanks and declarations and verify all information set forth therein; select the horses

- to start and the "also eligible" horses from the declarations in accordance with the rules governing these functions; and
- (f) Examine nominations and declarations in early closing, late closing, futurity and stake events; verify the eligibility of all declarations and nominations and compile lists thereof for publication; and
  - (g) Establish standards and allowances for horses in accordance with track rules and display such information in the judges' office, the racing office, on condition sheets and on the racing program; and
  - (h) Ensure that no one other than officials and those assisting the racing secretary are permitted in the office during the taking and sorting of entries; and

## **Chapter 31**

### **STARTER**

#### **31.01** The starter shall

- (a) Be appointed by the association; and
- (b) Be subject to the supervision of the judges; and
- (c) Be in the starting gate fifteen (15) minutes before the first race; and
- (d) Have control over the horses from the formation of the post parade until the field is released at the starting point; and
- (e) Notify the judges of all violations of the rules giving detailed information thereof.

**31.02** The starter may situate the starting gate in accordance with the instructions of the judges and fulfil the function of patrol judge in accordance with rule 34.01.

**31.03** The starter shall advise the judges of all horses ordered to be schooled behind the starting gate. The judges shall place such horses on the Judges' List and these horses shall not be permitted to be declared in to race until removed from the list by the request of the starter.

## **Chapter 32**

### **CLERK OF THE COURSE**

#### **32.01** The clerk of the course shall:

- (a) Be subject to the supervision of the judges; and
- (b) Forward for the judges' official race report, charts and marked program the day following each racing day to the Canadian Trotting Association; and
- (c) Complete the judges' official race report and record therein:
  - (i) all horses entered and their eligibility certificate numbers,
  - (ii) names of drivers and licence numbers,
  - (iii) the charted lines and the money won by the horses at that track,
  - (iv) note scratched or ruled out horses,

- (v) time in minutes, seconds, and fifths of seconds.
  - (vi) a) check each eligibility certificate for horses which had their last start outside the electronic eligibility network and, before the race, enter all information provided thereon into the official performance records, and
- 2b) after the race, update the official performance records and eligibility certificates, where necessary, for all horses which competed in the race.
- (vii) Verify the correctness of the judges' official race report including race time, placings and money winnings, reasons for disqualifications, if any, note any horses claimed and see that the record is properly signed; and
  - (viii) Assist the judges in the preparation of the various rulings, forms and reports.

## Chapter 33

### PADDOCK JUDGE AND EQUIPMENT INSPECTOR

**33.01** The paddock judge shall:

- (a) Under the direction and supervision of the judges, have complete charge of all paddock activities; and
- (b) Get the fields on the track for post parades in accordance with the schedule given by the judges; and
- (c) Inspect horses for changes in equipment, broken or faulty equipment, head numbers and saddle pads; and
- (d) Be responsible for the equipment inspector who shall keep a record of the equipment and harness worn by every horse racing at the meeting. The equipment and harness worn by every horse shall be checked in the paddock against such records before each race. All changes from the previous race shall be noted and the judges notified if a written authorization on the prescribed form is not presented for any change of equipment; and
- (e) Supervise paddock security guards; and
- (f) Check horses and drivers in and out; and
- (g) Direct the activities of the paddock blacksmith;
- (h) Immediately notify the judges of anything that could in any way change, delay or otherwise affect the racing program; and
- (i) See that only properly authorized persons are permitted in the paddock; and
- (j) Supervise the identification of horses in the race which shall include verifying the tattoo number; and
- (k) Inspect and supervise the maintenance of all emergency equipment kept in the paddock; and
- (l) Notify the judges of the reason for any horse returning to the paddock after having entered the track for the post parade and before the start of the race; and

- (m) Notify the judges of all drivers, trainers and grooms who leave the paddock in an emergency; and
- (n) Supervise and maintain cleanliness of the paddock; and
- (o) Supervise the conduct of all participants in the paddock and report any rule violations or abuses to the judges; and
- (p) Report any observed cruelty to a horse; and
- (q) Submit all paddock reports and attendance records to the judges on request. Such reports and records must be retained for twelve months; and
- (r) Ensure that all entrances and exits to the race track are closed before the starter calls the field to the post.

**33.02** A record shall be maintained indicating the names and times of entry and departure of all persons admitted to the paddock. The persons entitled to admission to the paddock area are:

- (a) Owners, lessees, trainers, drivers or grooms of horses which have been summoned to the paddock; and
- (b) Officials whose duties require their presence in the paddock; and
- (c) Other persons authorized by the judges or the Commission.

**33.03** Once admitted to the paddock drivers, trainers, grooms or horses in their care shall not leave the paddock other than to warm up the horses or until the races for which the horses were admitted are completed. In the event of an emergency, they may leave the paddock but only with the permission of the paddock judge, in which case a written record shall be made thereof.

**33.04** No more than two members of a registered stable, in addition to the trainer, driver and groom shall be entitled to admission to the paddock on any racing day, except by permission of the judge.

**33.05** (a) The post parade from the paddock shall commence at a time designated by the judges. The paddock judge shall cause all horses in a race to be formed in a parade line in the programmed order. Such horses shall be attended by their drivers unless specifically excused by the paddock judge. All horses in a race shall parade in front of the grandstand not later than five minutes before post time, unless excused by the judges.

(b) Horses are required to parade in program order. All horses must remain in proper order until the parade has passed in front of the grandstand and horses have turned on the track. The judges may impose a penalty for a violation of this rule.

**33.06** It shall be the duty of the paddock judge to report to the judges any equipment or harness which he or she considers dangerous or unsafe or not in the best interests of racing.

**33.07** The paddock is a secure area and after a horse has entered the paddock, parenteral or oral medication of that horse is strictly prohibited whether the medication is on the prohibited list or not.

## Chapter 34

### PATROL JUDGES

**34.01** An Association shall appoint:

- (a) Two patrol judges if the Association is designated by the Federal Department of Agriculture Race Track Supervision Branch as a "C" class raceway and is served by one pan video camera.
- (b) One patrol judge if the Association is designated by the federal Department of Agriculture race track supervision Branch as an "A" or "B" raceway and is served by one or two video camera towers in addition to a pan camera.

In all cases the patrol judge will be strategically located by the judges. The starter may, with the permission of the judges, be designated as a patrol judge. Further the starter may, when acting as a patrol judge, follow the field in the starting gate, weather and track conditions permitting.

**34.02** The patrol judges shall:

- (a) Be subject to the supervision of the judges; and
- (b) Be observant of and report to the judges on all activity on the race track in their areas at all times during the race program. Particular attention to be applied to the rules of decorum, lameness and fitness of any horse, and any lack of or broken racing equipment; and
- (c) Be in constant communication with the judges during the course of every race and immediately advise of every rule violation, improper act or unusual occurrence which happens within their station that could affect the result of the race.

## Chapter 35

### CHART MAKER

**35.01** An association shall appoint at least one chart maker who shall be responsible for properly and accurately completing the official chart by recording:

- (a) The date, place and size of the track if other than one-half mile
- (b) Symbol for free-legged pacers
- (c) Track condition, distance and type of race. Under the supervision of the Judges, the chart maker shall record any time allowances granted for track or weather conditions and this shall be entered into the electronic eligibility system for all races including qualifiers. These allowances shall be in increments of full seconds and shall appear beside the track condition.
- (d) Post positions, position at the one-quarter, one-half, three-quarter and stretch with lengths behind the leader at each call
- (e) At the completion of the race by reviewing projected photo-finish film, determine from this film the individual time and beaten lengths of each horse

by using the formula of one-fifth of a second per length. Judgment is to be used to determine such fractional separations as a neck, half a length, etc.

- (f) Closing dollar odds
- (g) Name of driver
- (h) Names of horses placed first, second and third by the judges
- (i) The standard symbols for breaks and parks out, where applicable
- (j) Have completed chart signed and approved by the judges

## Chapter 36

### COMMISSION DIRECTIVES

**36.01** The following directives were in effect December 31, 1983:

- (a) **GENERAL DIRECTIVES 12/83;3/84;4/84;3/85;4/85**

The Ontario Racing Commission at its meeting of December 21, 1983 approved the conduct of triactor wagering at associations licensed to operate in Ontario. The following directive, effective December 21, 1983, supersedes all prior Commission directives pertaining to triactor wagering:

#### CONDITIONS:

##### All Racing Associations

1. Violation of any of the conditions in this directive may result in the loss of triactor wagering privileges by an offending association.
2. Coupled or uncoupled entries are not permitted in triactor races.
3. Associations shall endeavour to conduct triactor wagering on races featuring the better class of horses participating at that track.
4. Racing Associations must provide an adequate communication system to ensure a quick relay of information from sensitive areas to the Stewards'/Judges' stand.
5. Racing Associations, on notice from the stewards or judges, shall investigate any racing improprieties that may have occurred in the running of a race and take whatever action is feasible to properly identify persons cashing pari-mutuel tickets on that particular race.

##### Standardbred Racing Associations

1. Triactor wagering shall not be permitted on races where less than eight horses are programmed to start and identified in the post parade.
2. An association may designate its triactor features if at least eight horses are programmed to start and two also eligible are listed in the daily race program.
3. If an association does not meet condition (2), the judges and Federal Department of Agriculture officials shall decide on the triactor feature(s) and shall ensure that their decision pertaining to the races with triactor wagering is conveyed to the patrons over the public address system before triactor wagering commences.

4. Associations shall ensure that paddock security is maintained and participants entering and leaving the paddock area are recorded and the records retained for a period of one year.

#### **Thoroughbred Racing Associations**

1. Triactor wagering shall not be programmed on races which have less than 10 separate betting interests.
2. Triactor wagering shall not be permitted on any race where less than eight horses are identified in the post parade.

#### **Approval**

As of this date the following associations are approved for the indicated number of triactor features per race day. Any change from this schedule will require a written application for and must have Commission approval prior to implementation.

Ontario Jockey Club (all tracks)	2 triactor pools per program
Windsor Raceway (Expires 31/12/85)	10 triactor pools per program
Flamboro Downs Raceway	3 triactor pools per program
Western Fair Raceway	3 triactor pools per program
Rideau Carleton Raceway	3 triactor pools per program
Orangeville Raceway	3 triactor pools per program
Sudbury Downs Raceway	3 triactor pools per program
Barrie Raceway	3 triactor pools per program
Kawartha Downs Raceway	3 triactor pools per program
Kingston Park Raceway	3 triactor pools per program
Dresden Raceway	3 triactor pools per program
Elmira Raceway	3 triactor pools per program
Sun Parlour Raceway	3 triactor pools per program
Woodstock Raceway	3 triactor pools per program
Hanover Raceway	3 triactor pools per program
Clinton Raceway	3 triactor pools per program

#### **(b) GENERAL DIRECTIVE 1/1985 March 6, 1985**

The following schedule of standardbred raceway classifications will be in effect for the fiscal year April 1, 1985 to March 31, 1986:

Class I	Greenwood Windsor Mohawk Flamboro	Tracks whose average daily handle is in excess of \$250,000.00
Class II	Western Fair Rideau Carleton Orangeville	Tracks whose average daily handle is in excess of \$125,000.00 but under \$250,000.00.
Class III	Kawartha Downs Sudbury Downs	Tracks which race in excess of 35 days annually whose average daily

	Barrie	handle does not exceed \$125,000.00.
	Kingston Park	
	Dresden	
	Elmira	
Class IV	Belleville	Tracks which race less than 35 days
	Woodstock	annually
	Clinton	
	Hanover	
	Goderich	
	Leamington	

Effective April 1, 1985 the Commission directs that, in 1985-86, all Class I, II, III and IV standardbred raceways and the Ontario Jockey Club thoroughbred tracks will be eligible to receive supplemental purse grants provided that, on or before March 31st, 1985 a valid contract, with a purse undertaking, is in force for the 1985/86 grant year between the racing association and a horsemen's association, recognized by the Commission. If circumstances are such that a valid contract is not in force as of March 31st, 1985, for the 1985/86 grant year, a racing association may be deemed.

#### **Supplemental Purse Grants:**

The conditions which apply to the issuance of supplemental purse grants are as follows:

- (a) Supplemental purse grants are to be applied to races during the calendar year commencing January 1, 1985 and ending December 31, 1985.
- (b) Supplemental purse grants are to be applied to purses in accordance with the provisions of purse undertakings between the racing associations and horsemen's associations recognized by the Commission.
- (c) Supplemental purse grants for the calendar year January 1, 1984 to December 31, 1984 will be forwarded out automatically in installments during the period April 1 to December 31.
- (d) Statistical and financial data reports, supplied by the Ontario Racing Commission, are to be filed within 30 days of December 31, 1985 covering the calendar year January 1, 1985 to December 31, 1985.
- (e) Payment of the daily portion of the supplemental purse grants shall be based on the actual number of days raced in the preceding calendar year.
- (f) Supplemental purse grants will be subject to audit by auditors nominated by the Commission on a post audit basis.

#### **(c) GENERAL DIRECTIVE 2 / 1985 March 27, 1985**

The Ontario Racing Commission at their meeting of March 27, 1985 by unanimous resolution amended the daily program fees effective April 1, 1985 under Section 11(h) of the Racing Commission Act.

Program fees are based on the daily wagering average for the previous calendar year or the last calendar year the the track raced prior to 1985. The following fee schedule will be in effect through March 31, 1986:

**Thoroughbred Daily Track Fees:**

Daily Wagering Average	0	-	500,000	Daily Fee	\$650.00
Daily Wagering Average	500,001	-	1,000,000	Daily Fee	\$675.00
Daily Wagering Average	Over	-	1,000,000	Daily Fee	\$700.00

**Standardbred Daily Track Fees:**

Daily Wagering Average	0	-	100,000	Daily Fee	\$300.00
Daily Wagering Average	100,001	-	150,000	Daily Fee	\$350.00
Daily Wagering Average	150,001	-	250,000	Daily Fee	\$375.00
Daily Wagering Average	250,001	-	500,000	Daily Fee	\$475.00
Daily Wagering Average	500,001	-	750,000	Daily Fee	\$525.00
Daily Wagering Average	750,001	-	1,000,000	Daily Fee	\$575.00
Daily Wagering Average	Over	-	1,000,000	Daily Fee	\$625.00

**(d) GENERAL DIRECTIVE 9/82 December 15, 1982**

The Ontario Racing Commission, in accordance with Section 11(f) of the Racing Commission Act R.S.O. 1980, Chapter 429 by unanimous ruling directed that, effective January 1, 1983, all racing associations granted racing dates in the Province of Ontario and all applicants proposing to construct new race tracks or applying for racing dates not previously approved for race tracks in the Province of Ontario, must file an application for Race Track License together with the Personal History Reports and Financial Statements which form part of the application. The applications for Race Track Operators' License must be filed by January 31 each year for those Racing Associations granted racing dates by the Ontario Racing Commision and in the case of applications for new race tracks or new racing dates, the completed forms must be in the hands of the Commission prior to any consideration being given by the Commission to the approval of racing dates or to the issuance of a license.

The issuance of any license to operate a race track is subject to:

The Racing Commission Act R.S.O. 1980.

The conditions contained in the Application for Race Track License;

The Rules, Regulations, and Directives of the Ontario Racing Commission;

The applicants agreeing to abide by the Rules, Regulations and Directives of the Ontario Racing Commision.

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NIL

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NIL

—Z—

NIL



**Ontario  
Racing  
Commission**

3rd Floor  
10 Wellesley Street, East  
Toronto, Ontario  
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Rules of  
Standardbred  
Racing, 1987

Ontario  
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Principles

Ontario Racing  
Commission



Effective April 1, 1987

# ONTARIO RACING COMMISSION

10 Wellesley Street, East

Toronto, Ontario  
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416/963-0520

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# **The Racing Commission Act**

## **Revised Statutes of Ontario, 1980 as amended**

**1. In this Act,**

- (a) "Commission" means the Ontario Racing Commission;
- (b) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council. R.S.O. 1980, c. 429, s. 1.

**2. The body corporate known as the Ontario Racing Commission, established under *The Racing Commission Act, 1950*, is continued and shall be composed of not fewer than three and not more than seven members appointed by the Lieutenant Governor in Council. R.S.O. 1970, c. 429, s. 2.**

**3. The objects of the Commission are to govern, direct, control and regulate horse racing in Ontario in any or all of its forms. R.S.O. 1980, c. 429, s. 3.**

**4. The members of the Commission shall hold office for a term of not more than three years, but any person is eligible for reappointment. R.S.O. 1980, c. 429, s. 4.**

**5. (1) The Lieutenant Governor in Council shall name one of the members to be the chairman and one of the members to be the vice-chairman.**

**(2) When the office of chairman is vacant or in the absence of the chairman, the vice-chairman shall act in his place and stead. R.S.O. 1980, c. 429, s. 5.**

**6. (1) At any meeting of the Commission a majority of the members constitutes a quorum, and a majority vote of the members present at any meeting of the Commission determines any question.**

**(2) The chairman has a casting vote in addition to his ordinary vote. R.S.O. 1980, c. 429, s. 6.**

**7. The Lieutenant Governor in Council may fill any vacancy that occurs in the membership of the Commission. R.S.O. 1980, c. 429, s. 7.**

**8. The Lieutenant Governor in Council shall fix the salaries of the chairman, the vice-chairman and the other members of the Commission. R.S.O. 1980, c. 429, s. 8.**

**9. Repealed**

**10. The salaries and expenses of the members of the Commission and of the officers, clerks and other employees thereof, and generally all costs, charges and expenses incurred and payable in respect of the carrying out of this Act, shall be paid out of the monies appropriated therefore by the Legislature. R.S.O. 1980, c. 429, s. 10.**

**11. The Commission has power,**

- (a) to govern, direct, control and regulate horse racing in Ontario in any or all of its forms;

- (b) to govern, control and regulate the operation of race tracks in Ontario at which any form of horse racing is carried on;
- (c) to hold hearings relating to the carrying out of its objects or powers, and to summon any person by subpoena signed by the chairman or by any other member of the Commission, and to require such person to give evidence on oath and to produce such documents and things as the Commission considers requisite in any such hearing;
- (d) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act, by a fine or other penalty or otherwise;
- (e) to make by-laws for the conduct of its business and for the control and direction of its work;
- (f) to license persons to operate race tracks at which horse racing in any of its forms is carried on and to impose such terms and conditions on a licence as the Commission considers expedient;
- (g) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on, and to impose such terms and conditions on a licence as the Commission considers expedient;
- (h) to fix and collect fees or other charges for licences, prescribe the form thereof and the conditions under which they may be issued;
- (i) to refuse to grant any licence or to suspend or revoke any licence for conduct that the Commission considers to be contrary to the public interest;
- (j) to require registration with the Commission of, and to register colours, assumed names, partnerships and contracts and such other matters and things as the Commission considers expedient;
- (k) to fix and collect fees or other charges for registration under clause j and to prescribe the form thereof and the conditions under which registration may be made;
- (l) to make and promulgate rules for the conduct of horse racing in any of its forms;
- (m) to employ stewards, veterinarians, analysts, secretarial assistants, judges and such other persons as the Commission considers expedient to attend at race meetings on behalf of the Commission;
- (n) to require approval by the Commission of the appointment of race track officials and employees whose duties relate to the actual running of horse races and to compel the discharge for cause of any such official or employee;
- (o) to fix, impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act;
- (p) to require persons licensed to operate race tracks to keep books of account in

a manner satisfactory to the Commission, and to inspect such books at any time;

- (q) to do such things relating to horse racing in any or all of its forms, or to the operation of race tracks at which horse racing is carried on, as are authorized or directed by the Lieutenant Governor in Council. R.S.O. 1980, c. 429, s. 11.

**12.** The accounts of the Commission shall be audited by the Provincial Auditor or by such other auditor as the Lieutenant Governor in Council may appoint. R.S.O. 1980, c. 429, s. 12.

**13.** The Commission shall make a report annually to the Minister, containing such information as the Minister may require. R.S.O. 1980, c. 429, s. 13.

**14.** The Lieutenant Governor in Council may make regulations with respect to any and all matters or things that are considered necessary for the carrying out of this Act. R.S.O. 1980, c. 429, s. 14.

**15.** (1) Rules for the conduct of horse racing may be promulgated by the Commission under this Act and the Commission may therein delegate to stewards, judges, veterinarians, race track officials, racing association officials, licensing agents or officers of the Commission such of the following powers as the Commission considers expedient,

- (a) to hold hearings relating to the carrying out of its objects or powers;
- (b) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act;
- (c) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on;
- (d) to collect fees or other charges for licenses;
- (e) to impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act.

(1a)- The Commission may adopt by reference, in whole or in part, with such changes as the Commission considers necessary, rules and procedures of racing associations or bodies and may delegate to racing associations or bodies the power to,

- (a) enforce the carrying out and observance of the rules and procedures as adopted or amended
- (b) hold hearings in respect of the contravention of any of the said rules or procedures; and
- (c) impose and collect fines, costs and other penalties for the contravention of any of the said rules or procedures,

and where a power has been so delegated to a racing association or body, it shall have the right to exercise discretion or judgment in relation to the powers delegated.

(1b)- Every person, association or body to whom a power to hold hearings has been delegated under subsection 1 or 1a, may summon any person by subpoena and require any person so summoned to give evidence on oath and to produce such documents and things as may be required for purposes of a hearing.

(2) - Subject to subsection 2b, any person who considers himself aggrieved by a decision of a person delegated by the Commission under a rule made under subsection 1 or by a decision resulting from a hearing held pursuant to a delegation under subsection 1a, is entitled to a hearing by the Commission and, in the case of a hearing, the Commission may exercise its powers and duties under section 11 as if such powers and duties had not been delegated.

(2a)- Where the Commission, after holding a hearing, is of the opinion that the request for the hearing was frivolously made, the Commission may order the person requesting the hearing to pay to the Commission a penalty of no more than \$300 in addition to any other penalty that may be imposed.

(2b)- Where the rules of the Commission, promulgated or adopted, provide for an appeal to an association or body, any person who considers himself aggrieved shall appeal in accordance with the rules before applying to the Commission for a hearing under subsection 2.

(3) - Any order or rule issued or made by the Commission under this Act shall be deemed to be of an administrative and not of a legislative nature.

(4) - For the purposes of a hearing under subsection 2, three members of the Commission, one of whom shall be the chairman or vice-chairman, constitute a quorum.

(5) - The Commission may, on its own motion, review any decision made by a racing association or body pursuant to a power delegated under subsection 1a and may, after affording the parties an opportunity to be heard, confirm the decision reviewed or substitute its own decision in lieu thereof. 1980, c429 S15

## Chapter 1

### MANDATE AND PRELIMINARY

**1.01** The following rules have been enacted and declared to be the official rules of the Ontario Racing Commission (hereinafter referred to as the Commission) and these rules shall apply to all standardbred raceways and participants under the Commission jurisdiction.

**1.02** Standardbred racing shall be conducted in accordance with the rules, Commission directives, conditions of licences granted by the Commission, track rules approved by the Supervisor of Standardbred Racing, and any other applicable laws or regulations.

**1.03** Should any provision of these rules or any Commission directive conflict with any track rule, the appropriate Commission rule or directive shall govern.

**1.04** Ignorance of the rules will not be accepted as an excuse for their violation.

**1.05** Directives of the Commission shall have all the force and effect of the rules.

**1.06** All definitions of these rules shall apply as well to Commission directives.

**1.07** Every person participating in and every patron of a meeting shall abide by these rules and accept the decisions of the judges, subject to the right of appeal to the Commission.

**1.08** An agricultural fair, incorporated company or person shall not conduct a race meeting unless formal approval of the meeting has been sought, and the Commission has actually approved the meeting.

**1.09** If any case occurs which is not or which is alleged not to be provided for by the rules, it shall be determined by the judges or the Commission as the case may be, in such manner as they think is in the best interests of racing. Provided however, the Commission in its absolute discretion may waive the breach of any of the rules, which waiver or breach the Commission does not consider prejudicial to the best interests of racing.

**1.10** The past performance statistics compiled by the Canadian Trotting Association shall be deemed to be the official statistics for the purpose of producing race programs for the use of the standardbred industry and the general public.

**1.11** The records of fines, penalties, drivers' statistics and infraction records, race results, purse winnings for horses and participants, and past performance and other statistics compiled by the Canadian Trotting Association shall be deemed to be the official records and statistics for use by the

standardbred breeding and racing industry for the support of standardbred racing and breeding.

**1.12** Notwithstanding Rule 3.02, the Canadian Trotting Association shall license trainers, drivers and other officials and participants as designated by the Commission and further, the Commission will recognize such licences of the United States Trotting Association.

**1.13** The Canadian Trotting Association shall supply to all member or non-member tracks which have entered into a contract for services all their Association past performance statistics and any records of fines, penalties, drivers' statistics and infraction records, race results, purse winnings for horses and participants and other statistics used by the standardbred racing and breeding Industry in Ontario and shall submit for approval to the Ontario Racing Commission annually the rate schedule for the provision of these services.

**1.14** The Commission has power, as it may deem proper, to make and, if necessary, to vary all arrangements for the conduct of a meeting.

## **Chapter 2**

### **DEFINITIONS**

**2.01** "Act" mean the Racing Commission Act.

**2.02** "Added Money Event" means stakes, futurities, early closing events and late closing events.

**2.03** "Age" of a horse shall be reckoned from the first day of January of the year of foaling, except for horses born in November and December of the years 1970 to 1980 inclusive, in which case the age shall be reckoned from January 1st of the succeeding year.

**2.04** "Association" means a person, partnership, association or corporate body licensed by the Commission to conduct a race meeting.

**2.05** An "authorized agent" is a person appointed by a licensee on whose behalf he or she is acting as agent. The appointment must be made by a document executed in writing, specify the authorities delegated to the agent, and be available for presentation when requested by an official. A copy of this document shall be filed with the Commission and any changes to, or revocation of such appointment by the issuer must also be filed immediately with the Commission.

**2.06** "Breeder" means the registered owner or lessee, subject to the terms of a lease agreement, of the dam at the time she conceived.

**2.07** "Chief Test Inspector" means the official approved pursuant to the Race Track Supervision Regulations of the Criminal Code and who is directly responsible to Agriculture Canada and to the judges for the taking of official samples from the horses and for the handling and shipping of such samples.

**2.08** "Claiming race" means a race in which any horse drawn therein may be claimed for a designated amount in conformance with the rules.

**2.09** "Classified race" means a race to which declarations are selected on the basis of ability or performance, regardless of the eligibility of such horses.

**2.10** "Conditioned race" means an overnight event to which eligibility is determined according to specified qualifications.

**2.11** "Clear Days" means where a number of days are expressed to be clear days, they shall be reckoned exclusively of the first day and exclusively of the last day. (See also 2.13).

**2.12** "Commission" means the Ontario Racing Commission.

**2.13** "Dash" means a race decided in a single trial.

**2.14** "Days" means where a number of days not expressed to be clear days is prescribed, they shall be reckoned exclusively of the first day and inclusively of the last day. (See also 2.10).

**2.15** "Declaration" means the naming of a particular horse to a particular race as a starter.

**2.16** "Director" means the Director of the Ontario Racing Commission.

**2.17** "Early Closing Event" means a race to which nominations close at least six weeks preceding the date of the race. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments are forfeits. Time bars or track qualifying standards shall not be used as conditions for early closing races.

**2.18** "Elimination Heats" means heats of a race split according to the rules to qualify the horses for a final heat.

**2.19** "Entry" means two or more horses in the same race which are coupled as a common interest for racing or pari-mutuel betting purposes in accordance with Rule 17.12.

**2.20** "Extended Meeting" means any association in the Province of Ontario which conducts a race meeting in excess of 6 days in any consecutive 12 month period with pari-mutuel wagering.

**2.21** "Feature Wagering" means wagering as approved in Ontario by the Commission and as deemed pursuant to the Race Track Supervision Regulations of the Criminal Code.

**2.22** "Futurity" means a stake event in which the competing horse was nominated when its dam was in foal or during its year of foaling.

**2.23** "Handicap" means a race in which performance, claiming price, sex or distance allowance is made. Post positions for a handicap may be assigned by the race secretary. Post positions in handicap claiming races shall be determined by claiming price prior to application of allowances.

**2.24** "Heat" means a single trial of a race to be decided by a series of heats.

**2.25** "Horse" means a horse, mare, colt, filly, gelding or ridgeling.

**2.26** "In Harness" means when a race is made to go 'in harness' it shall be construed to mean that the performance shall be to a sulky. Only sulkies of the

conventional dual-shaft and dual-hitch type as hereinafter described shall be permitted to be used in any race. A conventional type sulky is one having two shafts which must be parallel to, and securely hitched on each side of the horse. No point of hitch or any part of a shaft shall be above a horizontal level equal to the lowest point of the horse's back. It shall be the responsibility of the owner or trainer to provide every sulky used in a race with uniform coloured or colourless wheel discs on the inside and the outside of each wheel.

**2.27** "Judge" means a person appointed by the Commission to carry out all of the duties and responsibilities specified by the rules and the Commission.

**2.28** "Judges List" means a list of horses that are refused declaration, until removed therefrom.

**2.29** "Late Closing Event" means a race to which nominations close less than six weeks and more than five days before the date on which the race is to be contested. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments are forfeits. Time bars or track qualifying standards shall not be used as conditions for late closing races.

**2.30** "Length of Race and Number of Heats" means races or dashes shall be given at a stated distance in units not shorter than a sixteenth of a mile. The length of a race and the number of heats shall be stated in the conditions.

**2.31** "Maiden" means a horse that has never won a heat or race at the gait at which it is entered to start, and for which a purse is offered. Races or purse money awarded to a horse after the "official sign" has been posted shall not be considered winning performance or affect the status of a maiden. Should a "Maiden" finish first in a race for which a purse is offered and is subsequently disqualified it shall not lose its maiden classification.

**2.32** "Match Race" means a race which has been arranged and the conditions thereof agreed upon between contestants.

**2.33** "Matinee Race" means a race where an entrance fee may be charged and where the premiums, if any, are other than money.

**2.34** "Nomination" means the naming of a horse or in the event of a futurity the naming of a foal in utero, to a certain race or series of races, for a fee.

**2.35** "Non Extended Meeting" means any association in the Province of Ontario which conducts a race meeting of less than 7 days in any consecutive 12 month period with or without pari-mutuel wagering.

**2.36** "Official Chemist" means a graduate in chemistry from a university of recognized standing approved pursuant to the Race Track Supervision Regulations of the Criminal Code.

**2.37** "Official Sample" means a sample of blood, saliva, urine or other bodily substance that has, in accordance with the Race Track Supervision

Regulations of the Criminal Code, been obtained from a horse, sealed and identified.

**2.38** "Official Veterinarian" means a graduate in veterinary medicine from a university of recognized standing, licensed to practice in Ontario and who is appointed by the Commission.

**2.39** "Overnight Event" means a race for which declarations close not more than three clear days, omitting Sundays, Christmas Eve, and Christmas Day, before the date on which it will be contested. In the absence of conditions or notice to the contrary, declarations must close not later than 12 noon of the day preceding the race.

**2.40** "Owner" is the full owner, part owner, lessor or lessee of a registered standardbred horse that has qualified or has been programmed to race at an Ontario raceway within the preceding six months.

**2.41** "Participant" means any person, partnership, limited partnership, estate, corporation or other legal entity participating directly in standardbred horse racing and who, under the rules, is required to be licensed by the Commission.

**2.42** "Post Position" means the position assigned or drawn for a horse for the start of a race.

**2.43** "Post Time" means the time set for the arrival at the starting point of the horses in a race.

**2.44** "Qualifying List" is a list of horses that are required to perform in a qualifying race or races.

**2.45** "Qualifying Race" means a race in which a horse must establish its ability to participate at a race meeting consistent with the qualifying standards established for that class of horse.

**2.46** "Race" means a contest of speed among registered Standardbred horses racing at a trotting or pacing gait and conducted in accordance with these rules.

**2.47** "Raceway" means a race track located in the Province of Ontario conducting standardbred racing and classified and licensed annually by the Commission.

**2.48** "Registration" means that all matters relating to the registration of standardbred horses, unless otherwise provided for herein, shall be governed by the constitution and by-laws and regulations of the Canadian Standardbred Horse Society.

**2.49** "Retention Area" means that area within the grounds of a raceway designated for the purpose of obtaining and securing official samples.

**2.50** "Rules" means the Commission Rules of Standardbred Racing and any track rules adopted by the Commission.

**2.51** "Sex" means gender which includes mare, filly, spayed mare or filly, colt, stallion, ridgeling or gelding.

**2.52** "Singular, Plural" means words in the singular number include the plural, and the plural number include the singular.

**2.53** "Spouse" does not include a husband and wife who are living separate and apart from each other pursuant to a decree, order or judgment of a competent tribunal, or pursuant to a written agreement.

**2.54** "Stable Area" means those places within the property of an association wherein is or are the stables, track kitchen, racing offices, training areas and including paddock and the winner's enclosure.

**2.55** "Stable or Multiple Ownership Manager" means the operating executive of a racing stable or multiple ownership who is not otherwise licensed by the Commission as an owner, trainer or driver.

**2.56** "Stake" means a race which will be contested in a year subsequent to the closing of nominations

**2.57** "Supervisor" means the Commission Supervisor of Standardbred Racing.

**2.58** "Sustaining fees" means fees or payments made subsequent to the acceptance of nomination for an added money event.

**2.59** "Track Rules" means rules posted by associations to govern conduct of racing and participants at that association's raceway. Track rules may be adopted in whole or in part by the Commission.

**2.60** "Walk Over" means a race when only a horse or horses in the same interest start. In a stake or futurity, a "walk over" is entitled to the purse. To claim the purse, the horse or horses must start and go the distance of the race.

## **Chapter 3**

### **LICENCES**

**3.01** A) An association shall not:

- (i) Operate a raceway at which racing is conducted without applying for a licence, race dates and the post time for the first race of each program, and having them approved by the Commission, or received a temporary licence to operate pending finalization of the application for race dates.
  - (ii) Change its race dates or the post time for the first race on any race date by more than 30 minutes, without having such change approved by the Commission.
  - (iii) Operate a raceway without payment in advance of monthly program fees for the days upon which racing is to be conducted by the Association.
- (B) The Commission will not approve race dates for December 24th and December 25th of any year.
- (C) Upon application, the Commission will only waive daily program fees for programs cancelled as the result of:
- (i) an act of God;

- (ii) disruption of racing caused by labour or contract disputes;
- (iii) race date allocations changed by competing jurisdictions which affect the marketing area of an Ontario track; or
- (iv) for other reasons deemed by the Commission to be in the best interests of racing.

**3.02** A person shall not participate in the affairs of an association as director, general manager, officer, pari-mutuel manager, agent, or employee of such association without first receiving a licence from the Commission, nor shall any person participate in racing as an official, owner, driver, trainer, groom, tradesperson or veterinarian, nor shall anyone practise his or her profession, trade, occupation, or calling, including concessionaire or pari-mutuel employee, unless such person has applied for and been issued a Commission licence classified in the appropriate category. An association may admit to its grounds the holder of a licence to enable the licensee to have access to the area where the licensee is obliged to perform his/her duties. With permission of the Supervisor of Standardbred Racing, a licence will not be required for an employee of a company, partnership or person with whom the association has an agreement to supply goods or services, nor is a licence required for those participants exempted under Rule 3.05(c).

**3.03** (a) An applicant for a licence shall complete a written application, pay any fee required by these rules, submit satisfactory evidence of identity, including fingerprints and photographs, and furnish evidence of financial responsibility; and may be required to appear before the Commission and satisfy that he or she is a fit and proper person to receive a licence. Every person licensed by the Commission is deemed to have agreed to abide by the conditions set out in the application for the licence, the licence itself, the Act, and these regulations.

- (b) In an emergency situation, a temporary licence may be issued for an owner or trainer by completion of an Application for Standardbred Licence Form (for example John Doe, Owner, per Richard Doe, Trainer). A non-refundable fee of \$10.00 shall be charged for such temporary licence status. The temporary licence status shall be revoked 14 clear days from the date of issuance of the temporary licence status, or upon receipt of a completed application form and payment from the owner, whichever comes first. In any event, the licence must be completed and paid for within the next 30 clear days following the issuance of the temporary licence.
- (c) Notwithstanding rule 3.02, the Ontario Racing Commission will recognize for a non-resident, who is participating in racing in Ontario, valid licences from recognized racing jurisdictions in North America. In order to be recognized the licensee must be in good standing in all jurisdictions and file or have filed on his or her behalf an Ontario Racing Commission information form outlining name, address and licensing particulars prior to racing. For the purpose of

this rule, a non-resident of Ontario shall have the definition attributed to a non-resident of Canada in the Income Tax Act (Canada). Non-residents of Ontario who have filed or who have had filed on their behalf an information sheet shall be deemed to be licensees of the Ontario Racing Commission and subject to the Commission rules and directives. A validation sticker will be affixed upon request to licences when required for the purposes of allowing the recognized licensee access to those areas of the racing associations where the licensee is obliged to perform his or her duties.

**3.04** A licensee must advise the Commission in writing of a change in permanent address within ten days of such change. Failure to do so may result in a fine or suspension.

**3.05** (a) The annual licence fee, for licences to be paid to the Commission by persons actively participating in racing are as follows:

Stable or Multiple Ownership .....	\$ 30.00
Owner-New .....	30.00
Owner-Renewal .....	20.00
Driver .....	20.00
Trainer .....	20.00
Stable or Multiple Ownership Manager .....	20.00
Groom .....	5.00
Veterinarian .....	25.00
Tradesperson .....	10.00
Occupational .....	5.00
Pari-Mutuel Employees .....	5.00

(b) The following miscellaneous fees are payable when applicable:

Fingerprint Fee (new applicants only) .....	25.00
Claiming Certificates .....	10.00
Duplicate Licences .....	5.00

(c) At Class III and IV raceways, pari-mutuel and non-stable area employees, other than racing officials, are exempted, at the option of the association, from formal licensing but, for the purpose of these rules, are deemed to be licensees of the Commission.

**3.06** An employee or licensee of the Commission or employee of any association shall not give to anyone, directly or indirectly, for reward or any other consideration, any information or advice pertaining to a race for the purpose of influencing any person, or that would tend to do so, in the making of a wager on any horse in any race. In the case of association employees, this shall not apply to selections which appear in the official program, the media, or other approved publication.

**3.07** No one shall enter the stable area of an association where horses are stabled unless he or she is an official, employee or licensee of the Commission, an

employee of an association or one whom the Commission or the association has issued with credentials attesting to his or her right to enter such stabling area. Licensed owners and trainers participating at that track may sign in guests, unless such are unacceptable to the Commission or the association.

**3.08** The Commission may refuse to grant any licence and may suspend or revoke any licence for violation of the rules or for conduct that the Commission considers to be contrary to the public interest. The Commission may reject the application for a licence or may revoke a licence if it finds that such applicant or licensee is or has been consorting with known criminals, bookmakers, touts, or other undesirable persons or is or has been a known criminal, bookmaker or tout.

**3.09** The Commission may suspend, revoke or refuse to issue the licence of any owner, trainer, or other participant who has accumulated unpaid obligations relating to racing, become bankrupt, or otherwise displayed financial irresponsibility reflecting on the sport. In the case of a licensee who has become bankrupt, the Commission may license such participant to work for wages for another licensed participant. However, the bankrupt licensee may not carry on his or her trade or calling as an independent business or operate a public stable without the permission of the trustee in bankruptcy and the Commission.

**3.10** When any licensee is suspended by the Commission, the judges or thoroughbred stewards or by the pari mutuel regulatory agency of another province or state recognized by the Commission, or the Canadian Trotting Association, or United States Trotting Association, the suspended licensee shall be prohibited from participating in any activity regulated by the Commission. The suspension shall, in addition, render ineligible for declaration or starting, every horse in which the suspended licensee has any ownership interest or trainer responsibility. Eligibility for affected horses in such cases may be restored by transfer of the suspended licensee's interest or responsibilities to another licensed person, if approved by the judges of the meeting.

**3.11** A licence becomes invalid if the licensee ceases to be employed or to act in the capacity named in the licence and that licence shall be surrendered to and retained by the Commission.

## Chapter 4

### COMMISSION ADMINISTRATION

**4.01** For the purposes of the rules of standardbred racing the Commission Administration comprises the following:

- (a) the Director;
- (b) the Deputy Director, Standardbred Racing;
- (c) the Supervisor of Standardbred Racing;
- (d) the Commission Counsel;
- (e) the Secretary Treasurer;

(f) such other individuals as the Commission may designate from time to time. The position of Deputy Director and Supervisor of Racing will be interchangeable for the purposes of these rules.

**4.02** Under the delegation of the Commission the Administration is responsible for the supervision of Standardbred Racing in the Province of Ontario and its duties shall include but not be limited to the following:

- (i) the issuing of orders in the name of the Commission subject to appeal to the Commission;
- (ii) the making of reports to the Commission as the Commission requires and/or as the Administration deems fit;
- (iii) the supervision of all Commission and Association officials and employees in the performance of their duties;
- (iv) the conducting of investigations into the conduct of racing and of the participants in racing.
- (v) the delegating to judges or to other persons the right to conduct investigations, searches seizures and hearings.
- (vi) the interrogation of any licensee with respect to any suspected crime or violation of the Rules. The Administration may require a licensee to make a statutory declaration or a statement in writing and/or to produce documents, evidence of any agreements or transactions, financial or otherwise, relating to any suspected crime or violation of the rules or to any matter which in the opinion of the Administration is not in the best interests of racing.

## Chapter 5

### JUDGES AND RACING OFFICIALS

**5.01** At an extended race meeting, except in the case of an emergency, there shall be three judges employed and appointed by the Commission, one of whom shall be designated by the Commission as senior judge under whose supervision the judges shall, collectively, carry out all the duties and responsibilities specified in the rules. All decisions of the judges shall be determined by majority vote. In the case of an emergency and only two judges are officiating, the senior judge or the judge designated as senior judge by the Director or Supervisor of Standardbred Racing, shall have in addition to the regular vote, a casting vote.

**5.02** At a non-extended race meeting there shall be three judges employed by the association, one of whom shall be accredited as a judge as per Rule 5.05, under whose supervision the judges shall, collectively, carry out all the duties and responsibilities specified in the rules of regulations of the Canadian Trotting Association. All decisions of the judges shall be in accordance with the rules and regulations of the Canadian Trotting Association and determined by majority vote. All fines assessed at non-extended race meetings shall accrue to the Canadian Trotting Association.

**5.03** At all extended pari-mutuel race meetings there shall be the following licensed racing officials approved by the Supervisor of Racing;

- (a) Judges
- (b) Race secretary and/or assistant race secretary
- (c) Timers
- (d) Chartmaker
- (e) Starter
- (f) A patrol judge or patrol judges in accordance with rule 33.01
- (g) Paddock judge
- (h) Equipment inspector /horse identifier
- (i) Assistant paddock judge
- (j) Paddock security custodian
- (k) Paddock security guard
- (l) Chief test inspector and test inspectors.

**5.04** Once approved by the Commission, there shall be no substitution of judges or racing officials except in an emergency situation and then only after the approval of the Supervisor of Standardbred Racing.

**5.05** A person, unless accredited by the Canadian Trotting Association, will not be licensed by the Commission in the following categories:

- (a) Judge
- (b) Race secretary
- (c) Assistant race secretary
- (d) Starter (accredited starters are recognized as accredited patrol judges)
- (e) Paddock judge
- (f) Patrol judge

**5.06** An association approved to conduct a race meeting shall submit to the Commission a list of officials thirty (30) days prior to the commencement of racing in any calendar year.

**5.07** A racing official shall not occupy or serve, without the consent of the Commission, in more than one official position and then only if the combined duties can be performed efficiently and adequately and without conflict of responsibility. Subject to ratification by the Director, the judges may approve the filling of any emergency vacancy of an official position.

**5.08** A racing official shall not engage in any employment or activities at a race track during the conduct of an approved race-meeting other than the employment and activities for which he or she has been approved by the Commission.

**5.09** An official may be fined or suspended at any time by the Director for cause. When such action is taken, the Director shall make a report to the Commission.

**5.10** A special showing of the film patrol or video tape, when available, of

any race shall be ordered by the judges upon the written request of any owner, driver or trainer who had a horse start in such a race, and such showing shall be held at a time fixed by the judges as soon as practical after the race in question. A special showing of the film patrol or video tape, when available, of any race also shall be ordered by the judges upon request in writing of a member of the public, which showing shall be at a time and place fixed by the judges. At least one of the three judges shall attend all showings of the film patrol or video tape and shall explain to those present at the showing what happened in the race as reflected by the film.

**5.11** The judges have the power, and it is their duty, to regulate and govern the conduct of all racing, and all participants. If any participant refuses to comply with the directions of the judges, he or she shall be fined, suspended, or expelled.

**5.12** In the absence of the Supervisor of Standardbred Racing, the judges are the representatives of the Commission on the grounds of an association when it is conducting a race meeting and they shall:

- (a) issue orders in the name of the Commission, subject to appeal in accordance with the rules;
- (b) make such reports to the Supervisor of Standardbred Racing as the Supervisor may see fit.
- (c) supervise, in the performance of their duties, all Commission and association officials and employees; and
- (d) report to the Supervisor of Standardbred Racing unless otherwise instructed.

**5.13** In the performance of their duties, the judges shall have reasonable control over and unrestricted access to all buildings, stables, rooms and all other places within the grounds of any association.

**5.14** In all matters pertaining to racing, the orders of the judges shall supersede the orders of the officers, directors and officials of the association.

**5.15** The judges may:

- (a) Declare any horse disqualified or ineligible to race for violations of the rules or for noncompliance with the conditions of any race in which the horse has been declared.
- (b) Demand proof that a horse in any particular race is eligible or that it is not owned or trained in whole, or in part, by a suspended person or has been declared to race by a suspended person. In the absence of satisfactory proof, the judges may scratch the horse.

**5.16** Before the judges order a disqualification in any race, they shall view the film patrol or video tape, when available, of the race in question.

**5.17** The judges may refuse the declaration of any horse for any reason they consider proper. A horse so refused shall be placed on the Judges' List.

**5.18** The judges may, at any time, place a horse in the temporary charge of a

person they select and the owner shall be responsible for any reasonable costs incurred.

**5.19** The judges may excuse a horse from starting for any reason they consider proper, and in accordance with the rules.

**5.20** The judges may allow a mistake on a declaration or nomination form or condition sheet to be corrected if satisfied that no fraud was intended.

**5.21** Corrections to information contained in official performance records can be made only by the judges or an authorized official. Any participant tampering with the official performance records or eligibility certificates to effect unauthorized changes or entries may be fined, suspended or expelled.

**5.22** No ruling made by the judges or by the Board of Appeal or by the Commission with regard to distribution of purse money or the placing of horses in the order of finish, after the race has been declared official shall have any bearing on the pay-out prices of the distribution of pari-mutuel pools. If an incorrect order of finish is posted, declared official and then ruled to be in error. Race Track Supervision Regulations of the Criminal Code respecting pay-out prices shall apply.

## Chapter 6

### **VIOLATIONS, FINES, SUSPENSIONS & EXPULSIONS**

**6.01** The judges may impose any or all of the following penalties for conduct prejudicial to the best interests of racing, or for violation of the rules:

- (a) refuse an offender admission to the grounds of an association;
- (b) expel an offender from the grounds of an association; or
- (c) impose a fine or a suspension or both.

**6.02** Violation of the following shall make offenders liable to a fine or suspension:

- (a) Failure to drive when programmed without having been excused by the judges.
- (b) Use of offensive or profane language.
- (c) Smoking on the track within two hours of post time of the first race on the program.
- (d) Failure to wear silks when warming up a horse prior to racing.
- (e) Disturbing the peace.
- (f) Failure to have proper saddle cloth on a horse when warming up for a race
- (g) Failure to participate in, or being late for a post parade without permission of the judges.
- (h) Failure to have proper head number and saddle cloth on a horse when racing.

**6.03** Any participant charged with a violation of these rules shall be notified by the official of the rules allegedly violated. A hearing will be convened at a time and place determined by the official. In the event the violation occurs during the

course of a race meeting, no hearing shall take place without the consent of the defendant until at least 24 hours have elapsed to enable the defendant time to prepare a defence, summon witnesses and arrange to be represented by counsel or any other person of his or her choice.

**6.04** In the name of the Commission, the Director may charge any person with a violation of the rules and impose fines and suspensions for any violation of the rules on any matter deemed not to be in the best interest of the sport, subject to appeal to the Commission in accordance with the rules.

**6.05** Any attempt to violate any of the rules of the Commission falling short of actual accomplishment shall constitute an offence.

**6.06** Any person charged with a violation of the rules shall have the right to waive a hearing by completing and signing a "Waiver of Hearing Form" after that person has been advised of the specific rule violated and that a penalty will be imposed. The signing of the "Waiver of Hearing Form" shall constitute a plea of guilty to the offence as charged, but shall not deny the penalized person the right to appeal the severity of the sentence.

**6.07** In the event that the judges require a participant to appear before them and they are unable to notify the participant, they may suspend such participant if it is deemed in the best interest of the sport or having notified a participant and he or she fails to appear, the judges may suspend or fine such participant.

**6.08** Before the judges impose a penalty on any driver in a race, they shall view the film patrol or video tape, when available, of the race and shall interview such drivers they deem necessary and shall consider any information concerning the race that can be ascertained. Then, and then only, may a hearing be convened.

**6.09** Any driver charged with a violation of the rules shall be given an opportunity of appearing before the judges and hearing all witnesses against him, and of seeing the film patrol or video tape, when available, of the race before any penalty is imposed by the judges.

**6.10** Whenever a suspension is prescribed it shall be construed to mean an unconditional exclusion from the grounds of all associations and disqualification from any participation, either directly or indirectly, in racing unless otherwise specifically limited when such suspension is imposed, such as a suspension from driving.

**6.11** Where the penalty is for a driving violation and does not exceed in time a period of five days, the driver shall complete the engagement of all horses declared in before the penalty becomes effective. Such driver may only drive in stake, futurity, early closing or late closing races during a suspension of five days or less, but the suspension will be extended one day for each date on which he or she drives in such a race.

**6.12** Any participant having been fined, suspended or expelled, may be

advised verbally by an official, which shall constitute proper notice. In any event, written or printed notice thereof shall be delivered to the person penalized, notice shall be posted immediately at the office of the racing association and notice shall be forwarded immediately to the Commission and the Canadian Trotting Association.

**6.13** A horse shall not be eligible to be declared to, or started in any race if owned or controlled in whole or in part by a suspended, expelled or unlicensed person. In the case of husband and wife, no declaration shall be accepted from husband or wife while either is under suspension or expulsion. Husband and wife, unless living separate and apart pursuant to a decree, order or judgment of a competent tribunal, or pursuant to a written agreement, shall be considered a single entity and any ruling which applies to one shall equally apply to the other. This rule may be waived by the judges should the spouse of the disqualified person present documented evidence that ownership and racing of his or her horses is independent of, or not under the control or influence of the suspended or expelled spouse. In the event a nomination or declaration is made by or for a suspended or expelled person or horse, the owner of the horse shall be held liable for any nomination, sustaining or starting fees thus contracted and the horse shall not be eligible to compete.

**6.14** A suspension or expulsion or denial of a licence of either a husband or wife may apply in each instance to both the husband and wife. The suspension becomes effective when notice is given unless otherwise specified. A person may be suspended, expelled or denied a licence under this rule if it is determined that such person's spouse would be denied a licence upon application, and the Commission reserves the right to require such person's spouse to complete and submit an application in order to make such determination.

**6.15** Fines imposed in accordance with the rules are payable forthwith upon their imposition and before the participant races again, unless there has been an appeal filed. A licensee who fails to pay such fine may be suspended until the fine is paid, and such suspension will result in a penalty of not less than \$25.00.

**6.16** Any penalty imposed by the judges can be removed or modified by the Director upon recommendation of the judges.

**6.17** A person, at any time or place, shall not against any official or participant:

- (a) commit assault or battery;
- (b) threaten to do bodily injury;
- (c) use insulting, offensive or improper language; or
- (d) be guilty of any improper conduct.

**6.18** If any person is approached with any offer or promise of a bribe fraudulent in its nature, or for any improper, corrupt or fraudulent act in relation to

racing, it shall be the duty of such person to report the details thereof immediately to the judges.

**6.19** A participant shall be guilty of a violation of the rules for wrongfully attempting to or succeeding to effect the outcome of any race, either individually or in concert with another.

**6.20** A participant shall be guilty of a violation of the rules:

- (a) for any misconduct which is injurious to racing although not specified in these rules;
- (b) for any misconduct prejudicial to the best interests of racing; or
- (c) for committing or attempting to commit any other act injurious to racing.

**6.21** Providing inaccurate information about a horse, or attempting to have misleading information given in a program is prohibited and violators may be fined, suspended or expelled.

**6.22** Any participant committing an act of cruelty or neglect to a horse, whether on or off the grounds of an association, shall be liable to a fine or suspension or both.

**6.23** It is the duty of all racing officials and employees of the Commission, or association, to promptly report to the judges all observed violations of the rules.

**6.24** When an alleged offence by or against a participant is being investigated by the judges, such participant may be represented by any person of his or her choice.

**6.25** Any person who pays any amount or charge due the Commission which upon presentation is protested, payment refused, or otherwise dishonoured, shall by order of the Director, be subject to a fine not exceeding the amount in default and shall be suspended until the amount and fine are paid to the Commission.

**6.26** A participant obtaining purse money through fraud or error shall surrender or pay same to the Commission upon demand, or he or she shall be suspended until such demand is complied with. Such purse money shall be awarded to the party justly entitled to the same.

**6.27** In any investigation or case, whether or not an oath is administered, if the participant knowingly withholds information or misleads the investigators or the judges, it shall constitute a violation.

**6.28** The judges, the Supervisor of Standardbred Racing or his or her authorized representative, may interrogate any licensee and may require him or her to make statutory declarations or statements in writing and provide documentary evidence of any agreements or transactions, financial or otherwise, respecting to any suspected crime or violation of these rules, or any matter which, in the opinion of the Commission or the judges, is not in the best interest of racing.

**6.29** Whenever reasonable grounds exist for a belief that any participant can give material evidence that would aid in the detection or exposure of any fraud or

wrongdoing concerning racing, such participant shall, on the order of the judges or other authorized official, be compelled to testify by deposition or affidavit. Failure of any participant to comply will result in immediate full suspension.

**6.30** An owner, lessee, agent, trainer or driver who has declared a horse to a race shall not demand of the association a bonus of money or special award or consideration as a condition for starting the horse.

**6.31** When directed, the judges, racing officials, trainers and drivers shall be required to submit to a breath analysis test at any program at which they officiate or participate. When such a test results in a reading of .03 percent or more of alcohol in the blood the operator shall report such finding at once to the judges. A driver showing a reading of .03 percent or more shall be subject to the following penalties:

- (a) If the reading is .03 percent and not more than .05 percent, he or she shall be suspended from driving for that day and shall be fined \$100. for a first offence, and fined \$300. and suspended for driving for a period of 15 days for a second offence committed within a 12 month period. Further offences shall be referred to the Commission.
- (b) If the reading is more than .05 percent, he or she shall be suspended for that day. Also, he or she shall be fined \$200. for a first offence, and fined \$500. and suspended from driving for a period of 30 days for a second offence committed within a 12 month period. Further offences shall be referred to the Commission.

**6.32** Participants, other than drivers programmed to drive, showing breath analysis test readings of more than .05 percent of alcohol in the blood shall be immediately relieved of their duties any may be subject to a suspension, fine or both.

**6.33** Any person who refuses to submit to a breath analysis as required by the rules is liable to a \$200. fine for the first offence and a \$500. fine and a suspension of 60 days for the second offence. Drivers who refuse to submit to a test shall be taken off all drives for that day of racing. Repeated offences shall result in further penalties being determined by the judges.

**6.34** The judges, racing officials, association or Commission employees showing breath analysis test readings of more than .05 percent of alcohol in the blood shall be immediately relieved of their duties and the matter referred to the Commission.

**6.35** When a participant fails a breath analysis and is referred to the judges, the judges shall adjourn the hearing long enough to enable them to ascertain from the office of the Commission, or the Canadian Trotting Association, whether or not such person has previously been penalized for a similar offence.

**6.36** Whether breath analysis testing equipment is or is not available, and if due to alcohol or drug impairment, a person is unfit to drive, or carry out his or her

duties, or whose conduct may reflect adversely on the sport, he or she shall forthwith be suspended for the remainder of that day and may be subject to a further suspension and fine as the judges or other officials see fit.

**6.37** Any official who fails to report a participant, whom he or she might reasonably determine to have been consuming alcoholic beverages or drugs, to the judges shall be guilty of violation and shall be fined or suspended, or both.

**6.38** (a) For the purposes of this rule the following definitions shall apply:  
"Controlled Substance" means cannabis sativa, its preparations, derivatives and similar synthetic preparations and cocaine;  
"Laboratory" means an approved testing laboratory within the meaning of the Race Track Supervision Regulations  
"Licensee" shall be restricted to the following for the purpose of this rule:

- (i) Driver
- (ii) Trainer
- (iii) Groom
- (iv) Judges
- (v) Paddock Judge
- (vi) Starting Gate Personnel

"Positive Result" means a laboratory report indicating that a controlled substance was present in the sample, save and except in the case of cannabis and its derivatives where a result indicating a level of less than 100 ng. per ml. shall be deemed to be a negative result with respect to that substance.

- (b) The Supervisor of Standardbred Racing shall order any of the aforementioned licensees chosen at random to provide a sample of urine to determine whether a controlled substance is being used by that licensee. The Supervisor of Standardbred Racing shall determine the method by which the licensees shall be selected at random. Random testing of licensees shall be the primary determination of those licensees subject to testing, however, in the case of a licensee who has provided a positive result within any 24 month period, such licensee shall be deemed to have provided probable cause to require him or her to be subject to future testing at the discretion of the Supervisor of Standardbred Racing.
- (c) The manner of taking the test or tests, the handling of the sample, the manner of reporting test results by the laboratory, and the manner of notifying the subject licensee shall be as set forth in Standardbred Directive number 9-1986 incorporated into this rule. (see rule 35.01(B))
- (d) A licensee with respect to whom a positive result is obtained when said licensee has been tested at random, shall become subject to future testing at the discretion of the Supervisor of Standardbred Racing and shall provide a sample as hereinbefore provided.
- (e) In the event of a positive result relating to a controlled substance for which a

licensee does not have a valid prescription, the licensee shall be subject to the following penalties:

- (i) If the positive report is the first positive report for any controlled substance within 24 months of the taking of the test the licensee shall forthwith be suspended from his or her duties at any race track and the suspension shall remain in effect until such time as the licensee provides a urine sample at his or her sole expense indicating the absence of a controlled substance. A licensee required to provide a negative sample at his or her sole expense shall attend at Mann Laboratories and produce at the time of providing the sample his or her Commission licence. The licensee shall pay Mann Laboratories at that time the full cost of the laboratory's fee with respect to such attendance or attendances and such reports shall be provided by Mann Laboratories as hereinbefore provided to the Supervisor of Standardbred Racing and to the Director.
- (ii) Notwithstanding (e)(i) above, the Supervisor of Standardbred Racing may refer the matter of the positive result to the Commission and the Commission may summons the licensee to appear before it. Until such time as a licensee referred to the Commission appears before the Commission his or her licence shall remain suspended. The results of the positive test shall be kept confidential by the Commission and shall not be divulged to any person other than the licensee and the appropriate representatives of the Commission. Once a negative test results, the licence of the licensee shall be immediately reinstated unless the Commission rules otherwise in the case of a licensee required to appear before it.
- (iii) If the positive result is a second or further violation within any 24 month period for any controlled substance, the licensee shall forthwith be referred to the Commission by the Supervisor of Standardbred Racing or by his or her authorized representative. The Licence of the licensee so affected shall be suspended forthwith upon notification in the aforesaid manner set forth in Standardbred Directive 9-1986. The Commission shall conduct a hearing with respect to such licensee within 15 days of being notified in writing by the licensee that he or she seeks reinstatement, or if the licensee does not so notify the Commission, at such time as the Commission designates. The licensee shall not, in any event, be permitted to resume his or her functions until such time as he or she has enrolled in a recognized substance abuse programme and demonstrates to the satisfaction of the Commission that he or she has either satisfactorily completed such a programme or is progressing satisfactorily therein if such programme has not been completed. The Commission at its discretion, and if the licensee so demonstrates to its

satisfaction, may dispense with the requirements for the licensee to enrol in such a substance abuse programme. The hearing shall be held in camera and the information respecting the positive result shall not be divulged to anyone other than the licensee and the authorized representatives of the Commission.

- (f) Any licensee who refuses to provide a sample when properly requested to provide same shall forthwith have his or her licence suspended by the Supervisor of Standardbred Racing or his or her authorized representative and shall appear before the Commission. The licensee shall not be reinstated until such time as the licensee who had refused the test provides a negative sample at his or her own expense.

**6.39** A protective helmet, meeting the Snell Foundation standards for protective harness racing headwear, securely fastened under the chin, must be worn at all times on the premises of an Association when:

- (a) racing, parading or warming up a horse prior to racing; or  
(b) jogging, training or exercising a horse at any time.

A violation of this rule will result in a suspension or fine and the participant may be referred to the Commission.

**6.40** Leading of horses on the main racing strip of a racing association is prohibited between the hours of 8:00 a.m. and 12:00 noon and 3 hours prior to the post time on any racing day.

**6.41** In the event any participant is involved in an accident on the track, the judges may order such participant to submit to a physical examination.

**6.42** If any owner, trainer or driver threatens to join with others in threatening not to race, or not to declare in because of the declaration of a certain horse or of a particular stable, thereby compelling or trying to compel the race secretary to reject certain eligible declarations, it shall be immediately reported to the judges and, if found guilty, the offending parties may be suspended.

**6.43** Racing officials are prohibited from racing horses they own wholly or in part or wagering on any horses at tracks where they are employed or officiating. Judges or their spouses are prohibited from racing horses they own wholly or in part or wagering on any horses at any tracks in Ontario at any time.

**6.44** A person having an interest in the result of a race by reason of ownership in a participating horse shall not act as a racing official during that entire program of racing.

**6.45** An owner, trainer, driver, agent, employee or groom shall not have pari-mutuel tickets in his or her possession, or bet or cause any other person to bet on his or her behalf, on any other horse in any race in which a horse owned, trained, or driven, or in which he or she in any way represents or handles as a starter; except in the case of feature wagering events where an owner, trainer, driver, agent, employee, groom may bet, or cause any other person to bet on his

or her behalf, only on combinations in which his or her horse or entry is selected in the "Win" position.

## Chapter 7

### RACING ASSOCIATIONS

**7.01** Associations conducting extended meetings shall provide a paddock which shall be policed and records maintained of all persons entering and leaving. The paddock must be constructed and policed so as to exclude unauthorized persons. Associations failing to comply with this rule, after notice from the Director, shall be subject to a fine.

**7.02** Associations shall provide in the paddock:

- (a) the services of a blacksmith during racing hours;
- (b) suitable extra equipment necessary to prevent unnecessary delay to the racing program; and
- (c) direct communication facilities to the judges' stand.

**7.03** As a condition of its Race Track Operator's Licence, an association shall provide:

- (a) A judges' stand, acceptable to the Commission, to be located and constructed so as to afford the judges an unobstructed view of the entire racing strip and having adequate facilities acceptable to the Commission for the carrying out of their duties. Such adequate facilities to include washroom, outside telephone line and speaker phone to the paddock.
- (b) Adequate security measures to ensure that unauthorized persons do not gain entrance to the judges' room in the judges' stand unless invited by the judges.
- (c) Offices within the grounds of each raceway for the use and at the disposal of the Commission's designated representatives for the purposes of licensing and for the judges to carry out their pre and post race duties. These facilities are to be acceptable to the Commission and will be subject to inspection at any time.

**7.04** At extended meetings where pari-mutuel wagering is conducted, associations shall make available to the public a printed program which shall provide as a minimum:

- (a) name, sex, colour and sire and dam of horses;
- (b) names of owners and lessees of horses;
- (c) names of breeders of horses;
- (d) driver's first and last names and colours;
- (e) in claiming races, the price for which a horse may be claimed;
- (f) gross purse money for each race designated in dollars; and
- (g) current summary of starts in purse races during the current year. The summary shall include the number of starts, firsts, seconds and thirds and also the earnings and best winning time for the current year. The best winning

time must have been earned in either a purse or non-purse race, but not in a time trial. Qualifying races shall not be counted as a start or shown in the summary, but a winning time in a qualifying race must be shown in the summary and so designated.

- (h) the last six official past performance lines, if the horse has started six times at the gait;
- (i) designation of drivers racing with provisional licences;
- (j) designation of pacers that are racing without hopples. In mixed races, the gaits of each horse shall be indicated by the words "pacer" or "trotter" beside their names;
- (k) consolidation of races conducted at non-extended meetings. Consolidated lines shall include date, place, time of race, name of driver, finish position, track condition and distance, if race was not at one mile. Such races contested in heats or more than one dash may be consolidated into a single performance line;
- (l) designation of a mare that has been spayed when such information is made available to the association;
- (m) summary of starts in purse races during the preceding year; and
- (n) at least weekly, a list of abridged rulings issued by the judges at that meeting, plus any abridged rulings of the Commission as directed by the administration of the Commission.

**7.05** Races shall not be conducted until, in the opinion of the judges, the association has caused the racing strip to be suitably prepared for racing.

**7.06** Associations shall post track rules in the paddock and the race office. Track rules approved by the Supervisor of Standardbred Racing may be enforced by the judges and fines or suspensions imposed.

**7.07** Associations must provide forty-eight hours notice to any participant to vacate from the grounds any horse that is legally upon their premises.

**7.08** Members of the Commission and its designated representatives, in the performance of their duties, shall have the right of full and complete entry to all parts of the grounds and buildings of any association, whether or not racing is being conducted by the association at the time.

**7.09** An association shall provide and equip a first aid room and have present on their premises, or within easy call, a licensed physician, registered nurse or qualified attendant and shall also have present during qualifying races and during the regular racing program an ambulance or mobile first aid vehicle, equipped and operated by the St. John Ambulance Brigade or equivalent, for participants and patrons.

**7.10** An association shall have a horse ambulance available in the stable area on race days for the removal of injured animals.

**7.11** An association is responsible for the general supervision and security of its meeting.

**7.12** An association shall provide security of the grounds acceptable to the Commission during the period for which the race dates have been granted.

**7.13** Any association allowing a suspended, disqualified or excluded person or horse to participate in racing after notice from the Director, shall be subject to a fine not exceeding \$500. for each offence.

**7.14** An association during the hours of racing should not permit any unlicensed children to be admitted to the stable area unless in the custody of an adult and such children must remain in the custody of an adult at all times while in the stable area.

## **Chapter 8**

### **COMMISSION VETERINARIANS AND OTHER VETERINARIANS**

**8.01** The Commission Veterinarians shall be those veterinarians appointed by the Commission to officiate at extended race meetings.

**8.02** The Commission Veterinarian shall:

- (a) serve as a professional advisor and consultant to the Commission and its staff on veterinary matters including all regulatory aspects of the application and practice of veterinary medicine at the track;
- (b) examine or observe each horse that is to race, at the following times and locations:
  - (i) during a warm-up on the track prior to the race;
  - (ii) during the parade to the post;
  - (iii) during the race;
  - (iv) after the race; and
  - (v) at any other time considered appropriate;
- (c) if in his or her opinion any horse is unfit, unsound, or not ready for racing, immediately report to the judges and have the horse scratched.
- (d) be continuously available in the race track area from the time the horses enter the paddock until the last race is completed;
- (e) maintain a list called the Veterinarians' List (Long Term or Short Term - see Rules 20.01 and 20.02) on which the Commission Veterinarian shall enter the name of any horse considered unfit, unsound, or not ready for racing. A horse on the Long Term List shall be refused declaration until a Commission Veterinarian removes its name from the list. Horses on the Short Term List are automatically removed after five (5) clear days in accordance with Rule 20.04.

**8.03** During the period of their employment, Commission Veterinarians shall

not diagnose, treat or prescribe for any horse entered to race that day. For a period of 2 hours prior to first post time and throughout that racing program, the Commission Veterinarian shall not diagnose, treat or prescribe for any horse except in case of an emergency when they may do so without compensation of any kind, except for out-of-pocket expenses.

**8.04** A Commission Veterinarian shall inspect, as quickly as possible, all horses which have been involved in an accident during a race and, if necessary, provide appropriate emergency treatment.

**8.05** If in the opinion of a Commission Veterinarian an injured horse should be destroyed, he shall destroy the horse quickly, humanely, and out of sight of the public unless any delay will prolong the suffering of the horse.

**8.06** Any owner or trainer whose horse has been placed on the Long Term Commission Veterinarians' List may have a veterinarian certify in writing that the horse is racing sound prior to the horse being declared to race, and file such certification in writing with the Commission Veterinarian at the raceway where the horse is declared to race.

**8.07** In any case where a horse has visibly bled during a race or a workout to the knowledge of one of the Commission Veterinarians, the horse may be pre-race medicated, provided that the administration is of a substance which is a coagulant or other medicament recognized as a treatment to stop bleeding, and is also not included in the group of prohibited drugs under the Race Track Supervision Regulations of the Criminal Code. The administration of the medication must be done by a licensed veterinarian who shall report all details in writing to the Commission Veterinarian who shall pass such report to the judges for the approval before the horse can start.

**8.08** Veterinarians licensed by the Commission shall keep complete records of their administration of any medicament to any horse racing in Ontario. These records must be retained for not less than two years and may be inspected by the Supervisor of Standardbred Racing or the judges or their delegates.

**8.09** Except in emergency situations, veterinarians shall not parenterally or orally treat or medicate a horse in the paddock. When a horse has been treated parenterally or orally or medicated, the administering veterinarian shall report it to the Commission Veterinarian who shall report such treatment or medication to the judges immediately who shall then scratch the horse.

**8.10** It shall be the duty of a veterinarian licenced by the Commission to ascertain from the owner or trainer prior to treating any horse (except in an emergency) if the horse in question is or will be entered to race during the period of time in which any medication given by him or her or directed by him or her to be given might, in light of current equine veterinary knowledge, affect any post race official sample, resulting in a positive test. If such should be the case, it is the veterinarian's duty to warn the owner or trainer of this situation.

**8.11** Any veterinarian who is licensed by the Commission may be held wholly or partially responsible if medication given by him or her or medication given under direction of him or her, in the opinion of the judges, affects any official sample, resulting in a positive test.

**8.12** Should any veterinarian licensed by the Commission be found guilty of any offence contrary to the rules or be found guilty of any actions that would be considered a breach of ethics by the veterinary profession, that veterinarian may be fined by the judges, or may be referred to the Commission for disciplinary action under the rules.

## Chapter 9

### OFFICIAL SAMPLES AND POSITIVE TESTS

**9.01** The winning horse in every heat or race or performance against time shall be ordered to the retention area by the judges and an official sample for the purpose of determining thereby the presence of any prohibited medications under the Race Track Supervision Regulations of the Criminal Code. Further, the judges or the Commission Veterinarian at any meeting may order any horse to the retention area for an official sample to be taken.

**9.02** The obtaining of all official samples shall be the responsibility of the chief test inspector except blood samples which shall be taken by the Commission Veterinarian or a licensed veterinarian.

**9.03** When a horse is in the retention area it shall be under the complete control and authority of the chief test inspector. In the case of all horses from which an official urine sample has been ordered, an effort shall be made to obtain the official urine sample by normal and natural means. If, however, the chief test inspector is unable to secure an official urine sample within the time specified in Race Track Supervision Regulations, a Commission or licensed veterinarian, at the request of the chief test inspector, may draw an official blood sample from the horse, provided a statement duly signed by the owner or trainer is given to the Commission Veterinarian to the effect that the owner or trainer accepts full responsibility for any adverse effects that such horse may incur as a result of such an official blood sample being taken. The official blood sample is to be delivered to the chief test inspector to be tagged and shipped to the official chemist in the same manner as is presently in effect for all other samples.

**9.04** A horse shall not be allowed to race in the Province of Ontario if the taking of an official blood sample is refused unless the Commission Veterinarian, for good cause in his or her judgment, excuses the taking of the sample.

**9.05** Should an official chemist's report on an official sample taken from a horse be positive, he or she shall forthwith notify the Commission and the judges by telephone. This telephoned notification shall be taken as *prima facie* evidence

of a positive test. The official chemist shall then confirm such findings by special prepaid mail to the Commission and the judges.

- 9.06** (a) When the judges receive the first verbal report from the official chemist that a positive test has been found, they shall establish as soon as possible the horse from which the test was obtained and at once summon the trainer or his or her responsible representative and ask for an explanation;
- (b) After the judges have informed the trainer, or his or her responsible representative of such positive test, and failing a satisfactory explanation, they shall request the Supervisor of Standardbred Racing or his or her authorized delegate to accompany the trainer, or his or her responsible representative, to the stable and conduct a thorough search of the trainer's barn, automobile or any other vehicles which he or she may have in his or her possession or under his or her control;
- (c) The judges, the Supervisor of Standardbred Racing or agent, shall continue the investigation, taking evidence from all persons who may have knowledge of the matter and, particularly, knowledge disclosing the nature of the drug or medical treatment that had been administered to the horse by any veterinarian or other person before the race, and what protection had been given to the horse prior to the race to ensure that a drug would not be improperly administered to the horse. All oral statements shall be transcribed in full or recorded on a tape recorder.

**9.07** Following the above investigations, the judges will inform the trainer of the horse having the positive test that he or she is responsible for the condition of the horse by virtue of the rules and that the judges are now prepared to hear the evidence relating to the positive test. In the event that the trainer is not prepared to proceed forthwith the judges shall then:

- (a) fix a date and a place when the charge will be heard and disposed of;
- (b) inform the trainer that until the hearing,
- (i) he or she will be permitted to continue with his or her business as trainer; or
  - (ii) that he or she has been suspended and that none of the horses in his or her custody or under his or her care and control shall be allowed to start until the hearing or until the horses have been turned over to another trainer or trainers approved by the judges.

- 9.08** Any person is guilty of an offence who:
- (a) administers or influences or conspires with any other person to administer to a horse, to affect the performance or condition of such horse, any drug which results in a positive test;
- (b) enters a horse in a race, allows or authorizes a horse to compete in a race that has been administered any drug which results in a positive test.
- 9.09** Whenever a test discloses the presence of any drug in any horse in a

race, it shall be presumed that the drug was administered, in violation of the rules, by the person having the control or care or custody of such horse to affect the performance or condition of such horse. (See also 26.02)

**9.10** If the judges find that there has been improper interference or substitution in the taking of an official sample, they shall consider it a violation and take such action as they deem proper against any person found by them to have committed such a violation.

**9.11** Any horse from which an official sample has been ordered by the judges shall be taken directly and without delay to the retention area by the person or persons having care and control of such horse. Failure to do so is a violation of the rules and they and/or the horse may be suspended until the judges have held a hearing and dealt with the matter.

**9.12** Any owner, trainer or designated representative of the owner having the care, custody or control of any horse, who refuses to allow an official sample to be taken or who refuses to allow the horse to remain in the retention area for the minimum time period required by the judges shall be liable to the same penalty as if a positive test had been obtained from such horse.

**9.13** The detection of any drug in an official sample by the official chemist which constitutes a positive test shall disqualify the owner from participation in the purse distribution in that race and the horse shall be declared disqualified except for pari-mutuel wagering. In such case, the purse monies so affected shall be redistributed among the other horses in the race entitled to same, and any time record which may have been established shall be null and void.

**9.14** All decisions made by the judges regarding positive tests are subject to appeal to the Commission.

**9.15** The Commission will review all decisions made by the judges pertaining to positive tests and may, at its discretion, reopen any case to rehear and rule on the evidence.

## Chapter 10

### NEEDLES, SYRINGES AND SEARCHES

**10.01** No person except physicians, Commission Veterinarians or veterinarians licensed by the commission, within the grounds of a raceway where race horses are lodged or kept, shall have in or upon the premises which he or she occupies or has the right to occupy, or in his or her personal property or effect:

- (a) any hypodermic needle or any other device which could be used for the injection or infusion into a horse of any substance; or
- (b) any injectable which might be administered by a hypodermic needle, or device (known technically as a substance for parenteral administration) without first securing written permission from the judges or Supervisor of Standardbred Racing.

**10.02** The judges, the Supervisor of Standardbred Racing or persons authorized by them shall have the right to enter in or upon the buildings, stables, rooms, vehicles or other places within the grounds of any raceway for the purpose of examining, searching, inspecting and seizing the personal property and effects of any person in or upon such place.

**10.03** Participants acting in any capacity at a race meeting approved by the Commission by so participating consent to the examination, search and inspection referred to in the rules, and to the seizure of any hypodermic syringe, hypodermic needle or any other device described in the rules, and all drugs and medicaments of any kind which might be in his or her possession. Any drugs, medicaments or other material or devices suspected to contain medications prohibited under the Race Track Supervision Regulations of the Criminal Code may be forwarded to the official chemist for analysis.

## Chapter 11

### HORSES PERMITTED TO RACE

**11.01** A horse shall not be eligible to be declared in to race at any raceway unless:

- (a) the eligibility fee, which shall become due and payable when a horse makes its first start in any type of race in a calendar year, has been paid to the Canadian Trotting Association, or a valid eligibility certificate has been granted for the horse by the United States Trotting Association and its Canadian Trotting Association eligibility fee has been paid.
- (b) if wholly Canadian owned, the horse has been registered in the current ownership with the Canadian Standardbred Horse Society;
- (c) if leased, a copy of the lease is on file with, and is acceptable to the Canadian Trotting Association. The horse must race in the name of the lessee;
- (d) for overnight races, the horse has qualified at an extended meeting in accordance with the rules, including Chapter 12 where applicable, prior to the time of closing of declarations in accordance with the qualifying standards of the track presenting the race.
- (e) for added money events, the horse has qualified at an extended meeting in accordance with the rules, including Chapter 12 where applicable, prior to the time of closing of declarations and in accordance with Rule 11.02.
- (f) not more than 30 clear days prior to the time of closing of declarations, the horse was credited with a clean charted past performance line obtained in a purse, qualifying or schooling race conducted at an extended meeting;
- (g) the horse is at least two years of age to race at any meeting but not older than 14 years of age;
- (h) the horse has not been denerved by any method above its pastern. The

decision at any given time whether the horse has been denervated shall be the Commission Veterinarians.

- (i) if a mare has been spayed, the Canadian Trotting Association has been notified in writing by the owner, trainer or veterinarian;
- (j) the horse does not have a tube in its throat;
- (k) the horse has at least partial vision.
- (l) the horse has been lip tattooed or freeze branded in accordance with the constitution and by-laws and regulations of the Canadian Standardbred Horse Society.

**11.02** If a horse meets the conditions of rule 11.01 it will be considered qualified and eligible to be declared to stake and futurity races provided it has obtained a charted line in a purse, qualifying or schooling race, not more than 30 clear days before the closing of declarations and its individual time meets the following standards for age and gait for the size of the track where it raced or qualified after the judges have given the appropriate allowances for track conditions on that day:

	HALF MILE TRACKS	5/8 MILE TRACKS
<b>TWO YEAR OLDS</b>		
Pacers	2.08	2.06
Trotters	2.12	2.09

#### **THREE YEAR OLDS AND UP**

Pacers	2.06	2.04
Trotters	2.10	2.07

Qualifying standards in effect at each track shall be applicable in determining the eligibility of horses to added money events other than stake and futurity races.

**11.03** Notwithstanding Rules 11.01 and 11.02, if a horse participates in a race or event after having been declared into a subsequent race or event it shall be ruled ineligible to the subsequent race or event and scratched if its performance in the initial race or event makes it ineligible under the rules. If the race or event from which the horse is scratched is an added money event, any starting fee paid or payable shall be forfeited.

**11.04** Any participant who declares, or causes to be declared, an ineligible horse to start shall be guilty of a violation of the rules and subject to disciplinary action by the judges. If after declarations close, and prior to the race, the judges become aware that an ineligible horse has been declared, they shall immediately scratch the horse and starting fees, if applicable, shall be forfeited.

**11.05** If the ownership of a horse changes, such horse may start under the

new ownership not more than once without reasonable evidence being given to the judges that the registration certificate has been forwarded to the Canadian Standardbred Horse Society or the United States Trotting Association.

**11.06** Any participant skipping or omitting transfers of ownership of any horse shall be guilty of a violation.

**11.07**

- (a) If a horse is making its first start since the implementation of the electronic eligibility system, its eligibility certificate must be presented to the race secretary before it starts in such race. If it is determined that the certificate has not been presented as required by this rule, the horse shall be permitted to contest the race and, immediately thereafter, the judges shall place the horse on the Judges' List. The horse shall remain on the Judges' List until its valid eligibility certificate is presented to the judges.
- (b) A horse which will be making its next start outside the electronic eligibility system will not be able to start without an eligibility certificate. It is the responsibility of the trainer to obtain a hard copy eligibility certificate from a Canadian Trotting Association field representative.
- (c) A horse which has raced under the electronic eligibility system and has made its last start outside the system shall not be permitted to start unless its valid eligibility certificate is in the hands of the judges at least one hour prior to post time of its race. It is the responsibility of the trainer to have the eligibility certificate presented in accordance with this rule and should the certificate not be presented as required, the judges shall scratch the horse and any entry fees will be forfeited.

**11.08** Horses not under lease must race in the name of the bona fide owner.

**11.09** For the purposes of eligibility to race at extended meetings, past performance lines charted at non-extended meetings in Ontario shall not be considered other than for the purpose of crediting the horses with the number of starts, wins and purse money earned at non-extended meetings.

## **Chapter 12**

### **QUALIFYING RACES**

**12.01** Qualifying races and starting gate schooling shall be held according to the demand as determined by the Supervisor of Standardbred Racing or the judges.

**12.02** Declarations for overnight events, other than schooling races or matinee races, at extended meetings shall be governed by the following:

- (a) qualifying standards shall be established by the race secretary, filed with the judges and posted so as to be available for inspection of participants at all times. A horse shall be deemed unqualified if it has not shown a performance meeting the qualifying standards for the meeting, or fails to perform in

accordance with such standards. Such horses shall be placed on a "Qualifying List" by the judges who shall not remove the horse therefrom until it has qualified in accordance with the standards for the meeting;

- (b) names of horses placed on the "Qualifying List" shall be posted by the judges at a place in the race office accessible to owners or trainers;
- (c) qualifying standards shall apply only to the raceway where established;
- (d) qualifying races shall be charted by a licensed chart maker and a photo finish camera shall be used to determine beaten lengths and individual times of the horses; and
- (e) qualifying races must be conducted under the supervision of a judge.

**12.03** A horse that does not show a charted line at the chosen gait within its last six starts, or does not show a charted line within the previous 30 clear days, must perform in a qualifying race.

**12.04** The judges may institute standards relating to an individual horse's performance to establish if the horse must qualify.

**12.05** The judges may establish standards to require a faster class horse to qualify for overnight events by means of a timed workout.

**12.06** Any horse that chokes or bleeds while warming up for a race or during a race shall be placed on the Veterinarians' List and be required to go a qualifying race and perform to the satisfaction of the judges and the Commission Veterinarian before being allowed to be declared in.

**12.07** Any horse regularly wearing hopples shall not be permitted to be declared to race without them and any horse regularly racing without hopples shall not be permitted to wear hopples in a race without first having qualified with this equipment change. In addition to the foregoing, any horse regularly wearing hopples and which is not on a qualifying list or judges' list, is allowed one start without hopples in a qualifying race; and this single performance shall not affect its eligibility to race with hopples in a subsequent event to which it is declared.

**12.08** When, for the purpose of qualifying the driver, a horse is declared in to race in a qualifying race, its performance shall be applicable to the horse's eligibility to race and the chart line shall be notated to indicate driver qualifying.

**12.09** A horse making a break off a qualifying, matinee, or schooling line must qualify again unless the break was an equipment break or caused by interference or unless declaring into race in an added money event.

**12.10** A horse making two consecutive breaks must qualify unless the breaks were equipment breaks or caused by interference.

**12.11** A horse must qualify if:

- (a) it is distanced for reasons other than interference, broken equipment or breaking stride; or
- (b) it does not finish for reasons other than interference or broken equipment.

**12.12** A charted line containing only a break or breaks caused by interference or an equipment break shall be considered a clean charted line.

**12.13** The judges shall use the interference break mark only when they have reason to believe that the horse was interferred with by another horse or the equipment of another horse.

## Chapter 13

### TYPES OF RACES PERMITTED

**13.01** In presenting a program of racing, the race secretary shall use exclusively the following types of races:

(a) Overnight events which include:

- (i) Conditioned races.
- (ii) Claiming races.
- (iii) Preferred, invitational, handicap, open or free-for-all races.
- (iv) Schooling races.
- (v) Matinee races.

(b) Added money events which include:

- (i) Stakes.
- (ii) Futures.
- (iii) Early closing events.
- (iv) Late closing events.

(c) Match races.

## Chapter 14

### OVERNIGHT EVENTS

**14.01** For the purpose of this rule, overnight events shall include conditioned, claiming, preferred, invitational, handicap, open, free-for-all, schooling or matinee races or a combination thereof.

**14.02** At extended meetings, condition sheets must be available to participants at least 24 hours prior to closing declarations to any race program contained therein. At other meetings, conditions must be posted and available to participants at least 18 hours prior to closing declarations.

**14.03** A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race.

**14.04** Substitute races may be provided for each race program and shall be so designated in condition books. A substitute race may be used when a regularly scheduled race fails to fill.

**14.05** Regularly scheduled races or substitute races may be divided where necessary to fill a program of racing, or may be divided and carried over to a subsequent racing program, subject to the following:

- (a) No such divisions shall be used in the place of regularly scheduled races which fill.
- (b) Where races are divided in order to fill a program starters for each division must be determined by lot after preference has been applied, unless the conditions provide for divisions based upon age, performance, earnings or sex.

**14.06 Conditions:**

- (a) May be based only on:
  - (i) horses' money winnings in a specified number of previous races or during a specified previous time;
  - (ii) horses' finishing positions in a specified number of previous races or during a specified period of time;
  - (iii) age;
  - (iv) sex;
  - (v) number of starts during a specified period of time;
  - (vi) special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada;
  - (vii) the exclusion of schooling races; or
  - (viii) any one more combinations of the qualifications herein listed.
- (b) Shall not be written in such a way that any horse is deprived of an opportunity to race in a normal preference cycle. Where the word "preference" is used in a condition, it shall only supercede date preference as provided in the rules. Not more than three "also eligible" conditions shall be used in writing the conditions for overnight events.
- (c) The Supervisor of Standardbred Racing may, upon application from the race secretary, approve conditions other than those listed above for special events.

**14.07** In the event there are conflicting published conditions and neither one nor the other is withdrawn by the association, the one more favourable to the declarer shall govern.

**14.08** For the purpose of eligibility, a racing season or racing year shall be the calendar year. All races based on winnings will be programmed "Non-Winners of \$ ..... " or "Winners over \$ ..... ". Additional conditions may be added. When recording winnings, gross winnings shall be used and cents shall be disregarded.

**14.09** Records, time bars or place of residence of the owner of a horse declared into an event shall not be used as a condition of eligibility, save and except in the case of stakes races where time bars as provided in rule 11.02 constitute a condition of eligibility.

**14.10** Horses must be eligible when declarations close subject to the provision that:

- (a) Winnings on or after the closing date of declarations shall not be considered;
- (b) Age allowances shall be given according to the age of the horse on the date the race is contested.
- (c) In mixed races, trotting and pacing, a horse must be eligible under the conditions for the gait at which it is stated in the declaration the horse will perform.

**14.11** When conditions refer to previous performances, those performances shall only include those in a purse race. Each dash or heat shall be considered as a separate performance for the purpose of condition races.

**14.12** In overnight events, not more than one trailer shall be permitted, regardless of the size of the track. At least eight feet per horse must be provided the starters in the front tier. (For added money events see rule 16.24)

**14.13** The race secretary may reject the declaration to an overnight event of any horse whose past performance indicates that it would be below the competitive level of other horses declared to that particular event.

## Chapter 15

### CLAIMING RACES

**15.01** No horse will be eligible to start in a claiming race unless the owner has provided written authorization, which must include the minimum price for which the horse may be claimed, to the race secretary at least one hour prior to post time of its race. If the horse is owned by more than one party, all parties must sign the authorization. Any question relating to the validity of a claiming authorization shall be referred to the judges who shall have the authority to disallow a declaration or scratch the horse if they deem the authorization to be improper.

**15.02** Registration certificate in current ownership, together with the application for transfer thereon duly endorsed by all registered owners, must be filed in the office of the race secretary for all horses claimed within a reasonable time after the race from which the horse was claimed. (See Rule 15.21).

**15.03** The price allowances that govern for claiming races are as follows. Any deviation from these allowances will constitute a violation:

#### Colts, Stallions, Geldings

#### and Spayed Mares

#### Fillies and Mares

2-year-old	75%	100%
3-year-old	50%	75%
4-year-old	25%	50%
5-year-old	0	25%

Claiming prices recorded on past performance lines in the daily race program and on eligibility certificates shall not include allowances.

**15.04** The claiming price, including any allowances, of each horse shall be printed on the official program adjacent to the horse's program number and claims shall be for the amount designated, subject to correction if printed in error.

**15.05** In handicap claiming races, in the event of an "also eligible" horse moving into the race, the "also eligible" horse shall take the place of the horse that it replaces provided that the handicap is the same. In the event the handicap is different, the "also eligible" horse shall take the position on the outside of horses with a similar handicap, except when the horse that is scratched is a trailing horse, in which case the "also eligible" horse shall take the trailing position, regardless of its handicap. In handicap claiming races with one trailer, the trailer shall be determined as the 4th best post position.

**15.06** To be eligible to be claimed a horse must start in the event in which it has been declared to race. For the purposes of this rule, a horse shall be deemed to have started if it is behind the gate when the field is released at the starting point by the starter. If a horse that has been drawn in to start in a claiming race is scratched for reason other than being ineligible to the race, the horse shall be subject to claim in its next start in Ontario, provided such start occurs within 30 days of the date of the scratch, regardless of type and condition of the race, at the claiming price it was subject to in the race in which it was scratched. Where a horse drawn in to start in a claiming race has been declared to start in a subsequent race, the successful claimant, if any, of the horse, in the first race shall have the option of scratching the horse from the subsequent race and the 30 day provision of this section will not apply.

**15.07** Any person or the authorized agent of such person who holds a current valid Commission licence may claim any horse or any person who has properly applied for and been granted a claiming certificate shall be permitted to claim any horse. Any person or authorized agent eligible to claim a horse shall be allowed access to the grounds of the association in order to effect a claim at the designated place of making claims and to take possession of the horse claimed.

**15.08** Claiming certificates are valid on day of issue and expire 30 days after issue day. These certificates may be applied for at the association's licensing office prior to post time on any day of racing.

**15.09** A claimed horse, regardless of ownership, must race only at a track or tracks in the Province of Ontario for the next 30 days unless the track where the horse was claimed is closing for more than 30 days. In the case of a track closing for more than 30 days, the horse is released from the provisions of this rule the day after the track closes. For the purpose of this rule, the Ontario Jockey Club tracks of Greenwood and Mohawk shall be considered a single track. Any person who violates this rule shall be subject to a fine of ten percent (10%) of the claiming price of the horse for each start of the horse which violates this rule. A claimant shall be held in violation of this rule if he/she disposes of the horse in any manner

other than by claiming and the horse races outside the Province of Ontario within 30 days of the horse being claimed.

**15.10 Prohibitions on claims:**

- (a) A person shall not claim directly or indirectly his or her own horse or a horse trained by him or her or cause such horse to be claimed directly or indirectly for his or her own account.
- (b) A person shall not directly or indirectly offer, or directly or indirectly enter into an agreement, to claim or not to claim or directly or indirectly attempt to prevent another person from claiming any horse in a claiming race.
- (c) A person shall not have more than one claim on any one horse in any claiming race.
- (d) A person shall not directly or indirectly conspire to protect a horse from being claimed by arranging another person to lodge claims, a procedure known as protection claims.

**15.11 Claiming procedure:**

- (a) A person desirous of making a claim, hereinafter referred to as the claimant, must remit the required amount by certified cheque or by bank draft payable to the association or to the person desirous of making the claim and properly endorsed over to the association, or by cash or by transfer of purse account funds on credit with the association conducting the race. The required amount shall include the claiming price plus the transfer of ownership fee.
- (b) The claimant shall provide all information required on the claim form provided by the association.
- (c) The claim form shall be completed and signed by the claimant prior to placing it in an envelope provided for this purpose by the association. The claimant shall seal the envelope and identify on the outside the date, race number and track name only.
- (d) The envelope shall be delivered to the race secretary, or licensed delegate, at least 30 minutes before post time of the race from which the claim is being made. That person shall certify on the outside of the envelope the time it was received, the current licence status of the claimant and whether credit in the required amount has been established.
- (e) It shall be the responsibility of the race secretary to ensure that all such claim envelopes are delivered unopened or otherwise undisturbed to the judges prior to the race from which the claim is being made.
- (f) The judges shall disallow any claim made on a form or in a manner which fails to comply with all requirements of this rule.
- (g) Documentation supporting all claims for horses, whether successful or unsuccessful, shall include details of the method of payment either by way of a photostatic copy of the cheque presented, or written detailed information to include the name of the claimant, the bank, branch, account number and

drawer of any cheques or details of any other method of payment. This documentation is to be kept on file at race tracks for 12 months and is to be produced to the Supervisor of Racing for inspection at any time during the 12 month period.

**15.12** When a claim has been lodged it is irrevocable, and is at the risk of the claimant.

**15.13** In the event more than one claim is submitted for the same horse, the successful claimant shall be determined by lot by the judges, and all unsuccessful claims involved in the decision by lot shall, at that time, become null and void, notwithstanding any future disposition of such claim.

**15.14** Upon determining that a claim is valid, the judges shall forthwith notify the paddock judge of the name of the horse claimed, the name of the claimant and the name of the person to whom the horse is to be delivered. Also, the judges shall cause a public announcement to be made.

**15.15** Every horse entered in a claiming race shall race for the account of the owner who declared it in the event, but title to a claimed horse shall be vested in the successful claimant from the time the horse is deemed to have started, and the successful claimant shall become the owner of the horse, whether it be alive or dead, or sound or unsound, or injured during or after the race. If a horse is claimed out of a heat or dash of an event having multiple heats or dashes, the judges shall scratch the horse from any subsequent heat or dash of the event.

**15.16** A claimed horse shall be delivered immediately in the paddock by the original owner, his or her trainer or authorized representative, to the successful claimant upon authorization of the judges. The horse's halter must accompany the horse. Altering or removing the horse's shoes will be considered a violation.

**15.17** Any person who refuses to deliver a horse legally claimed out of a claiming race shall be suspended, together with the horse, until delivery is made.

**15.18** A claimed horse shall not be eligible to start in any race in the name or interest of the original owner for 30 days, unless reclaimed out of another claiming race. Nor shall such horse remain in or be returned to the same stable or care or management of the first owner or trainer for the same period of 30 days, unless reclaimed out of another claiming race.

**15.19** The claiming price shall be paid to the original owner only when the judges are satisfied that the successful claim is valid and the registration certificate has been received by the race secretary for transfer to the new owner. (See Rule 15.02).

**15.20** The judges, at the option of the claimant, shall rule a claim invalid:

- (a) if the official racing chemist reports a positive test on a horse that was claimed, provided such option is exercised within 48 hours following notification to the claimant of the positive test by the judges;
- (b) if the horse has been found ineligible to the event from which it was claimed, or

(c) if the sex of the horse has been misrepresented on the program.

**15.21** Mares and fillies who are in foal are ineligible to claiming races. If a claimant determines within 48 hours that a claimed filly or mare is in foal, he or she may, at their option, return the horse to the original owner.

**15.22** When the judges rule that a claim is invalid and the horse is returned to the original owner:

- (a) the amount of the claiming price shall be repaid to the claimant;
- (b) any purse monies earned subsequent to the date of the claim and before the date on which the claim is ruled invalid shall be the property of the claimant; and
- (c) the claimant shall be responsible for any reasonable costs incurred through the care, training or racing of the horse while it was in his or her possession.

## **Chapter 16**

### **ADDED MONEY EVENTS**

**16.01** For the purpose of this rule, added money events include stakes, futurities, early closing events and late closing events as defined in Chapter 2.

**16.02** All sponsors and presenters of added money events must comply with the rules and must submit to the Commission the conditions and other information pertaining to such events.

**16.03** Any conditions contrary to the provisions of any of these rules are prohibited.

**16.04** Conditions for added money events must specify:

- (a) which horses are eligible to be nominated;
- (b) the amount to be added to the purse by the sponsor or presenter, should the amount be known at the time;
- (c) the dates and amounts of nomination, sustaining and starting payments;
- (d) whether the event will be raced in divisions or conducted in elimination heats, and
- (e) the distribution of the purse, in percent, to the money winners in each heat or dash, and the distribution should the number of starters be less than the number of premiums advertised; and
- (f) whether also eligible horses may be carded prior to the running heats or legs of added money events.

**16.05** Sponsors or presenters of stakes, futurities or early closing events shall provide a list of nominations to each nominator or owner and to the associations concerned within 60 days after the date on which nominations close, other than for nominations payable prior to January 1st of a horse's two-year-old year.

**16.06** In the case of nominations for futurities payable during the foaling year, such lists must be forwarded out prior to October 15th of that year and, in the

case of nominations payable in the yearling year, such lists must be forwarded out not later than September 1 of that year.

**16.07** Sponsors or presenters of stakes, futurities or early closing events shall also provide a list of horses remaining eligible to each owner of an eligible within 45 days after the date on which sustaining payments are payable. All lists shall include a resume of the current financial status of the event.

**16.08** The Commission may require the sponsor or presenter to file with the Commission a surety bond in the amount of the fund to ensure faithful performance of the conditions, including a guarantee that the event will be raced as advertised and all funds will be segregated and all premiums paid. Commission consent must be obtained to transfer or change the date of the event, or to alter the conditions. In any instance where a sponsor or presenter furnishes the Commission with substantial evidence of financial responsibility satisfactory to the Commission, such evidence may be accepted in lieu of a surety bond.

**16.09** Dates for nominations payments:

- (a) Stakes: The date for closing of nominations on yearlings shall be May 15th. The date for closing of nominations to all other stakes shall fall on the fifteenth day of a month.
- (b) Futurity: The date for closing of nominations shall be July 15th of the year of foaling.
- (c) Early Closing Events: The date for closing of nominations shall fall on the first or fifteenth day of a month. Nominations on two-year-olds shall not be taken prior to February 15th.
- (d) Late Closing Events: The date for closing of nominations shall be at the discretion of the sponsor or presenter.

**16.10** Dates for sustaining payments:

- (a) Stakes and Futurities: Sustaining payments shall fall on the fifteenth day of a month. No stake or futurity sustaining fee shall become due prior to February 15th of the year in which the horses nominated become two years of age.
- (b) Early and Late Closing Events: Sustaining payments shall fall on the first or fifteenth day of a month.

**16.11** The starting fee shall become due when a horse is properly declared to start and shall be payable in accordance with the conditions of the added money event. Once a horse has been properly declared to start, the starting fee shall be forfeited, whether or not the horse starts. Should payment not be made 30 minutes before the post time of the event, the horse shall be scratched and the payment shall become a liability of the owner who shall, together with the horse or horses, be suspended until payment is made in full, providing the association notifies the Commission within 30 days after the starting date.

**16.12** Failure to make any payment required by the conditions constitutes an automatic withdrawal from the event.

**16.13** Conditions that will eliminate horses nominated to an event, or add horses that have not been nominated to an event by reason of performance of such horses at an earlier meeting, are invalid. Early and late closing events shall have not more than two "also eligible" conditions.

**16.14** The date and place where early and late closing events will be raced must be announced before nominations are taken. The date and place where stakes and futurities will be raced must be announced as soon as determined but, in any event, such announcement must be made no later than March 30th of the year in which the event is to be raced.

**16.15** Deductions may not be made from nomination, sustaining and starting payments or from the advertised purse for clerical or any other expenses.

**16.16** All nominations to added money events must be made in accordance with the conditions.

**16.17** Every nomination shall constitute an agreement by the person making the nomination and the horse shall be subject to these rules. All disputes and questions arising out of such nomination shall be submitted to the Commission, whose decision shall be final.

**16.18** Nominations and sustaining payments must be received by the sponsor or presenter not later than the hour of closing, except those made by mail must bear a postmark placed thereon not later than the hour of closing. In the event the hour of closing falls on a Saturday, Sunday, or legal holiday, the hour of closing shall be extended to the same hour of the next business day. The hour of closing shall be midnight of the due date.

**16.19** If conditions require a minimum number of nominations and the event does not fill, the Commission and each nominator shall be notified within 20 days of the closing of nominations and a refund of nomination fees shall accompany such notice to nominators.

**16.20** If conditions for early or late closing events allow transfer for change of gait, such transfer shall be to the lowest class the horse is eligible to at the adopted gait, eligibility to be determined at the time of closing nominations. The race to which the transfer may be made must be the one nearest the date of the event originally nominated to. Two-year-olds, three-year-olds, or four-year-olds, nominated in classes for their age, may only transfer to classes for the same age group at the adopted gait to the race nearest the date of the event they were originally nominated to, and entry fees to be adjusted.

**16.21** A nominator is required to guarantee the identity and eligibility of nominations, and if this information is given incorrectly he or she may be fined, suspended, or expelled and the horse declared ineligible. If any purse money was obtained by an ineligible horse, the monies shall be forfeited and redistributed among those justly entitled to the same.

**16.22** Minimum declarations required to race:

- (a) Early or late closing events must be contested if five or more betting interests are declared to start. If less horses are declared to start than required, the race may be declared "off", in which case the total of nominations, sustaining and starting payments received shall be divided equally to the horses declared to start. Such distribution shall not be credited as purse winnings.
- (b) Stakes or futurities must be contested if one or more horses are declared to start. In the event only one horse, or only horses in the same interest start, it constitutes a walk-over. In the event no declarations are made, the total of nomination and sustaining payments shall be divided equally to the horses remaining eligible after payment to the last sustaining payment, but such distribution shall not be credited as purse winnings.

**16.23** Associations shall provide stable space for each horse declared on the day before, the day of, and the day following the race.

**16.24** The maximum size of fields permitted in any added money event shall be:

- (a) For races which go in 1 division no more than 2 trailers.
- (b) For races which go in more than 1 division a maximum of 1 trailer.

An association may elect to go with less than the number of trailers specified in (a) above.

**16.25** In the event more horses are declared to start than allowed in one field, the race will be conducted in divisions or eliminations, as specified in the conditions.

**16.26** In added money events conducted in divisions, the association shall add at least 75 percent to that amount contributed to the purse by the association. To this amount shall be added the contributions by sponsors other than the association and the total of nomination and sustaining fees, and the revised total purse shall be split equally between the divisions. Each starting fee shall be added to the division in which the horse starts.

**16.27** In added money events conducted in eliminations, starters shall be divided by lot. 60 percent of the total purse will be divided equally among the elimination heats. The final heat will be contested for 40 percent of the total purse. Unless the conditions provide otherwise, all elimination heats and the final heat must be raced on the same day. If the conditions provide otherwise, elimination heats must be contested not more than 6 days, excluding Sundays, prior to the date of the final heat. The winner of the final heat shall be the winner of the race. If the estimated value of the purse for the event is \$100,000 or more, the division of the purse between elimination heats and the final may be other than the formula above; however, the distribution must be contained in the printed conditions of the event.

**16.28** The number of horses allowed to qualify for the final heat of an event

conducted in elimination heats shall not exceed the maximum number permitted to start in accordance with the rules.

**16.29** The judges' decisions in arriving at the official order of finish of elimination heats on the same program shall be final and irrevocable and not subject to appeal or protest.

**16.30** The judges shall draw by lot the post positions for the final heat in elimination events, i.e. they shall draw positions to determine which of the two elimination heat winners shall have the pole, and which the second position; which of the two horses that were second shall start in the third position, and which in the fourth, etc. The trailing position shall be determined as the 4th best post position.

**16.31** In a "two-in-three" race, a horse must win two heats to win a race and there shall be 10 percent set aside for the race winner. The purse shall be divided and awarded according to the finish in each of the first two or three heats, as the case may be. If the number of advertised premiums exceeds the number of finishers, the excess premiums shall go to the winner of the heat. The fourth heat, when required, shall be raced for 10 percent of the purse set aside for the race winner. In the event there are three separate heat or dash winners and they alone come back in order to determine the race winner, they will take post positions according to the order of their finish in the previous heat. In a two-year-old race, if there are two heat winners and they have made a dead heat in the third heat, the race shall be declared finished and the one standing best in the summary shall be awarded the 10 percent. If the two heat winners make a dead heat and stand the same in the summary, the 10 percent shall be divided equally among them.

## Chapter 17

### DECLARATIONS AND DRAWING OF POST POSITIONS

**17.01** The association shall specify the time for closing of declarations, but in any event the declaration box shall not close more than three clear days, omitting Sundays, Christmas Eve and Christmas Day, before the date of the race. The time must be published on condition sheets.

**17.02** A declaration received after the specified time of closing shall not be accepted, except those omitted due to error or negligence by an official or employee of the association.

**17.03** The association shall provide a locked box with an aperture through which declarations shall be deposited. Participants shall deposit their declarations in the declaration box, except as provided in Rule 17.06.

**17.04** The submitting of declarations for one horse to races scheduled for the same day at different tracks is prohibited.

**17.05** The submitting of a declaration for a horse that is ineligible to race because it has been placed on the judges' list or veterinarians' list, and not removed therefrom, is prohibited.

**17.06** Declarations made by mail, telegraph or telephone are acceptable and shall be subject to the same terms and conditions as written declarations, providing evidence of same is deposited in the declaration box before the time specified for declarations to close and provided that adequate program information is furnished by the declarer. The race secretary or licensed delegate is responsible for depositing such declarations. A mail, telegraphic or telephone declaration must state the name of the horse, the event it is to be declared to, and be signed by the person who received and deposited it.

It is the responsibility of the trainer to ensure that the person declaring a horse which had its last start outside Canada, advises the race secretary of where and when the horse last raced.

**17.07** Prior to the opening of the box for the draw, the race secretary or licensed delegate shall be in charge of the declaration box. The box may be opened prior to the time of closing to provide an opportunity to process declarations. Information as to the names of horses declared shall not be given by any person to any person until after the time for closing of declarations has passed.

**17.08** The race secretary shall check the eligibility of each horse declared; however, notwithstanding, the trainer is responsible for the eligibility of horses declared to race.

**17.09** At the time specified, one of the judges or in the event of their inability to be present the race secretary, or licensed delegate, shall unlock the box. The race secretary will be responsible to see that at least one licensed participant is present to witness the draw. An owner or agent of a horse with a declaration in the declaration box shall not be denied the privilege of being present. Declarations shall be listed, the eligibility verified, preference ascertained, starters selected, and post positions drawn. If it is necessary to reopen any race, public announcements shall be made at least twice and the box reopened at a definite time.

**17.10** Starters and "also eligibles" for overnight events shall be drawn by lot from horses properly declared to start, except that preference shall be given according to a horse's last previous start in a purse race, other than races designated as "schooling races", at the gait for which it is declared. In addition, preference shall be governed by the following:

- (a) If more than the required number of horses are declared in with the same preference date, the previous two preference dates shall apply. A race secretary may draw by lot if more than two previous preference dates are identical. These procedures are to be carried out at the time of the draw in the presence of licensed participants.
- (b) When a horse is racing for the first time at the gait declared, it shall have preference over other horses regardless of their preference dates.
- (c) If a declaration is made for a horse that has already been drawn in to start in a

race that has not yet been contested, the date of that uncontested race shall be its preference date.

- (d) The declarer shall be responsible for providing acceptable evidence of exact preference dates governed by eligible declarations or starts in uncontested races made at other tracks.
- (e) When a race has been reopened for additional declarations, preference shall be given those horses eligible and declared at the time declarations closed originally.
- (f) If conditions so specify, preference can be given two-year-olds, regardless of preference date.

**17.11** Not more than two horses may be drawn as "also eligibles", except for races on which "triactor" wagering is conducted, in which case more than two "also eligibles" are permitted, in accordance with the following provisions:

- (a) Notwithstanding Rule 17.10, "also eligibles" shall be drawn from horses having the best preference, except priority may be given to horses stabled on the grounds.
- (b) No horse shall be added to the race as an "also eligible" unless it was drawn as such at the time declarations closed.
- (c) No horse shall be drawn as an "also eligible" if the required program information cannot be published in the official program.
- (d) No horse may be barred from another race to which it is eligible and had preference, due to the fact that it has been drawn as an "also eligible".
- (e) "Also eligible" horses moved into races shall be posted in the office of the race secretary and their owners or trainers shall be so notified at once.
- (f) All "also eligible" horses not moved into a race by 10:00 a.m. of the day of the race shall be released.
- (g) If an "also eligible" horse is moved into a race it shall be scratched from any subsequent race it has been drawn into, unless preference allows it in.

**17.12** Horses shall be coupled as an entry for pari-mutuel purpose where:

- (a) a person is the owner or part owner of two or more horses in a race, or
- (b) the spouse of a person who is the owner or part owner of one horse in a race is the owner or part owner of another horse in that race.

**17.13** For the purpose of pari-mutuel betting, horses in any race may be coupled as an entry by the judges where there is any doubt whether such horses should be coupled or where the judges consider it in the public interest to do so.

**17.14** If a race is split into divisions or elimination heats, horses coupled as an entry shall be seeded in separate divisions or elimination heats insofar as possible; first by owners, then by trainers, then by stables; but the divisions or elimination heats in which they are to compete and their post positions shall be determined by lot.

**17.15** The drawings of post positions shall be final, except:

- (a) When there is conclusive evidence that a horse was properly declared but omitted due to error or negligence by an official or employee of the association; then:
- (i) if the horse omitted by error was declared to an overnight event, it may be added to the race and given the last post position, providing its addition does not exceed the maximum number of starters allowed in a single field. Otherwise, such horse shall not be permitted to start;
  - (ii) if the horse was omitted by an error in calculating preference date and the horse is carded as an "also eligible" it may move in and the programmed horse with the most recent date shall be scratched. In the event that two or more horses programmed have identical dates more recent than the "also eligible" the horse to be scratched shall be determined in accordance with Rule 17.10(a). The post position of the horse moving in shall be determined in accordance with Rule 17.16, or
  - (iii) if the horse omitted by error was declared to a stake, futurity, early closing event or late closing event, it shall be added to the race and given the last post position. In such case, if its addition exceeds the maximum number of starters allowed in a single field, the event shall be divided. In this event, the starters in each division and their post positions will be redrawn by lot.
- (b) When it is found that horses which constitute an entry have been properly declared to an added money event which has split into more than one division and have not been seeded in accordance with Rule 17.14, with the permission of the Director, time permitting, the event shall be redrawn. If time does not permit the redrawing, the event shall go as drawn.

**17.16** In the event one or more horses are excused by the judges, the "also eligible" horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races the "also eligible" horse shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the "also eligible" horse shall take the position on the outside of horses with a similar handicap, except when the horse that is scratched is a trailing horse, in which case the "also eligible" horse shall take the trailing position, regardless of its handicap. In handicap claiming races, in the event of an "also eligible" horse moving into the race, the "also eligible" horse shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the "also eligible" horse shall take the position on the outside of horses with similar handicap, except when the horse that is scratched is a trailing horse, in which case the "also eligible" horse shall take the trailing position, regardless of its handicap.

**17.17** A horse properly declared and drawn in to start, or as an "also eligible", shall not be withdrawn or scratched from the race without the permission

of the judges. A fine or suspension may be imposed when this requirement is violated, and the horse may be suspended.

**17.18** After having been drawn into start in any race, or as an also eligible, a horse shall not be sold or leased nor shall any interest in the horse be sold or leased prior to the racing of that particular race.

**17.19** It is responsibility of trainers to name the drivers of horses declared to race and it is the trainer's further responsibility to ensure that the drivers are available and willing to drive the horses. Drivers shall be named not later than the time to permit this information to be published in the official program. The deadline for naming of drivers will be set by the association, and no driver may be changed thereafter without permission of the judges. Where a programmed driver fails to appear the judges may fine or suspend the trainer.

**17.20** When post positions are handicapped or when post positions are assigned the trailing position shall be determined as the 4th best post position.

## Chapter 18

### PLACING AND MONEY DISTRIBUTION

**18.01** Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse's position in each separate dash or heat of the race. Purse money distribution in overnight events shall be limited to five monies.

**18.02** Unless otherwise specified in the conditions, purse money distribution in dashes shall be 50 percent, 25 percent, 12 percent, 8 percent and 5 percent. In added money events, if there are less than 5 starters, the remaining premium shall go to the race winner, unless the conditions call for a different distribution. In overnight events, if there are less than 5 starters, the premium for the positions for which there are no starters may be awarded to the race winner or may be retained by the association but such premiums retained are not to be included in percentages of any agreement between the association and any recognized participants' association.

**18.03** If there are any premiums for which horses started but were unable to finish due to an accident or interference, all unoffending horses that did not finish shall share equally the premiums they would have been entitled to had they finished, and any remaining premiums shall be paid to the race winner.

**18.04** If there are any premiums for which horses started but were unable to finish and the situation is not dealt with by these rules, all such premiums shall be paid to the race winner.

**18.05** Every heat is a race and the purse shall be distributed as in dash races with nothing being required to be set aside for the race winner, unless otherwise stated in the conditions of an added money event.

**18.06** In elimination heats, the total purse shall be distributed in accordance

with the provisions of Rule 16.27 and the purse for each heat shall be distributed in accordance with these rules.

**18.07** If the placing system is specified in the conditions, the purse shall be distributed according to the standing of the horses in the summary. In order to share in the purse distribution each horse must complete the race and compete in each heat to which it is eligible. A horse must win two heats to be declared the race winner and such horse will stand first in the summary. In deciding the rank of the horses other than the race winner, a horse that has been placed first in one heat shall be ranked better than any other horse that has been placed second in any number of heats; a horse that has been placed second in one heat shall be ranked better than any other horse that has been placed third in any number of heats, etc., e.g., a horse finishing 3-6 would be ranked ahead of another horse finishing 4-4. A horse finishing in a dead heat would be ranked below another horse finishing in the same position and not in a dead heat. If there be any premium for which no horse has maintained a position, it shall go to the race winner.

**18.08** If for any reason a horse is disqualified or declared ineligible, any purse monies or trophies received by the owner, or driving fees paid under rule 18.11 to the driver of the horse, in the race shall be returned, within 15 days of notification, to the association for redistribution.

**18.09** If any division of an early or late closing event, stake of futurity is declared "no contest" by the judges, the total of nomination, sustaining and starting payments applicable to that division shall be divided equally to all unoffending horses deemed to have started. Such distribution shall not be credited as purse winnings.

**18.10** Purses earned outside of North America will be calculated in Canadian dollars based on the current rate of exchange at the time of declaration for a race. Winnings in the United States will be deemed to be at par with Canadian funds.

**18.11** Where an agreement exists between a recognized harness participants' association and a racing association, drivers' fees may be deducted from the purses payable to owners and paid to the drivers within 30 days. A copy of such agreement must be filed with the Commission.

**18.12** All races shall be bona fide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the order of finish. No arrangement for equal distribution of the purse money is permitted.

**18.13** Associations that default in the payment of a premium that has been raced for shall stand suspended, together with its officers. No deduction, voluntary or involuntary, may be made from any purse, nomination, sustaining or starting payments, except those deductions made from purse monies for overnight events

and paid to recognized participants' organizations through agreements with the associations.

**18.14** No addition shall be made to any purse after it is contested unless through error. Money due through contractual arrangements with recognized participants' organizations shall be added to the purse account of the next meeting. Any bonus payments or awards made to owners by associations that is not money due through contractual arrangements with recognized participants' organizations shall not be considered earnings of a horse and shall be excluded from the records of the horse involved.

**18.15** If a race is contested which has been promoted by another party and the promoters thereof default in payment of the amount raced for, the same liability shall attach to the association, as if the race had been offered by the association.

**18.16** An association shall not pay a purse for less than the amount specified on the condition sheet for that race.

## Chapter 19

### TIME AND RECORDS

**19.01** A record will be the fastest time made by a horse in a heat or dash which it won, or in a performance against time.

**19.02** The time of each heat or dash shall be accurately taken by two timers or an approved electric timing device, in which case there shall be one timer, and placed in the record in minutes, seconds and fifths of seconds, and upon the decision of each heat the time thereof shall be publicly announced or admitted to the record. When the timers fail to act, no time shall be announced or recorded.

**19.03** In any case of alleged error in the record, announcement or publication of the time made by a horse, the time so questioned shall not be changed to favour said horse or owner, except upon the sworn statement of the judges and timers who officiated in the race.

**19.04** In order that performances thereon may be recognized or published as official, every association shall have filed with the Commission the certificate of a duly licensed civil engineer or land surveyor that the track has been measured from wire to wire three feet out from the inside hub rail and certifying exactly the result of such measurement. Each track shall be measured and recertified in the event of any changes or relocation of the hub rail.

**19.05** The leading horse shall be timed and its time only shall be announced. The horse shall not obtain a win-race time record by reason of the disqualification of another horse unless a horse is declared the winner by reason of the disqualification of a breaking horse on which it was lapped.

**19.06** If a horse takes a win-race record in a qualifying race or schooling race, such record must be prefaced with the letter "Q" wherever it appears, except in a case where the horse was subjected to the collection of an official

sample. The senior judge shall note on the judges' official race reports each qualifying race from which official samples were collected.

**19.07** In the case of a dead heat, the time shall constitute a record for the horses making the dead heat and both shall be considered winners.

**19.08** The time shall be taken from the first horse leaving the point from which the distance of the race is measured until the winner reaches the wire.

**19.09** Any person found guilty of fraudulent misrepresentation of time or the alteration of the record thereof, in any race, shall be suspended or expelled, and time declared not a record.

**19.10** Time trial performances are permitted subject to the following:

- (a) Official samples are required for all horses starting for a time performance.
- (b) An approved electric timer is required for all time performances. In the event of a failure of a timer during the progress of a time performance, no time trial performance record will be obtained.
- (c) Time trial performances are permitted only during the course of a regular meeting with the regular officials in the judges' stand.
- (d) Time trial performances are limited for two-year-olds who go to equal or beat 2:10, and three-year-olds and over who go to equal or beat 2:05.
- (e) In any race or performance against time, excessive use of the whip shall be considered a violation.
- (f) Time trial performances shall be designated by preceding the time with two capital "T's.
- (g) When a horse performs against time, it shall be proper to allow other horses to accompany it in the performance but not to precede it, or be harnessed with it, or in any way attached to it.
- (h) A break during a time trial is a losing effort and a losing performance shall not constitute a record.

## Chapter 20

### JUDGES' AND VETERINARIANS' LISTS:

**20.01** A horse may be placed on the Judges' List for the following reasons:

- (a) the horse has been declared unfit to race by the Commission Veterinarian because it is sick, lame or otherwise physically unfit to race. This will be known as the Short Term Veterinarians' List;
- (b) the horse has been declared dangerous or unmanageable by the Judges or the Commission Veterinarian or has been placed on the Long Term Veterinarians' List due to chronic physical or health problems;
- (c) proof of a negative Coggins' Test required in accordance with Rule 22.34 is not presented;
- (d) a valid eligibility certificate is not presented for the horse in accordance with Rule 11.08, or

(e) the horse is required to school for the starter in accordance with Rule 31.03.

**20.02** A horse that has been placed on the Judges' List in accordance with the rules will be ineligible to race until removed therefrom. Only the judges at an extended meeting shall have the authority to remove a horse that is on the Judges' List in accordance with Rules 20.01(b) or 20.01(e). Horses on the List in accordance with Rule 20.01(a) shall come off the List after 5 clear days. Horses on the Judges' List for 20.01(c) and 20.01(d) shall be removed from the List when the documentation has been presented to the Canadian Trotting Association field representative.

**20.03** At a meeting where a veterinarian is not available, the judges may order withdrawn from a race a horse that is in their opinion sick, lame or otherwise physically unfit to race.

**20.04** (a) When a horse has been placed on the Judges' List, it shall be recorded in the official performance records by an authorized person. The owner or trainer shall be notified of the reason for such action being taken and it shall be their responsibility to scratch the horse from any races for which the horse may have been declared in to start.

- (b) A horse which has been scratched as a result of a veterinarian's slip or by order of the Commission Veterinarian shall not be permitted to be declared to race, other than to added money events, for 5 clear days from the date of the race from which it was scratched.
- (c) A horse which has been scratched twice consecutively as a result of a veterinarian's slip or by order of the Commission Veterinarian must qualify to race. Such qualifying race must be more than 5 clear days from the date of the second race from which it was scratched.

## Chapter 21

### POSTPONEMENT AND CANCELLATION

**21.01** In case of unfavourable weather or other unavoidable cause, associations with the consent of the judges shall postpone or cancel races in accordance with the following rules.

**21.02** Added money events shall be postponed to a definite hour on the next scheduled race date when favourable conditions prevail.

**21.03** An early closing event or a late closing event that cannot be raced during the scheduled meeting shall be declared "off" and the total of nomination, sustaining and starting payments divided equally among the owners of eligibles in proportion to the number of horses declared to start.

**21.04** An early closing event or late closing event that has been started, but remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary.

**21.05** Stakes and futurities should be raced where advertised and the

meeting may be extended to accomplish this. Any stake or futurity that has been started, but which remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary, except where the association elects to extend the meeting to complete the race. Horses that are scratched after a heat and before the race is declared finished shall not participate in purse distributions for subsequent heats in the event the race is called off and declared finished.

**21.06** Unless otherwise provided in the conditions, in order to transfer stakes and futurities to another meeting, unanimous consent must be obtained from the association and all those having eligibles in the event.

**21.07** At extended meetings, overnight events may be postponed and rescheduled within two days, or may be cancelled if circumstances or weather conditions warrant. Postponed overnight events not raced within two days shall then be cancelled.

**21.08** At non-extended meetings, overnight events shall be cancelled, unless the association is willing to add the postponed races to the advertised program for subsequent days of the meeting. At the option of the association, any postponed races may be contested in single one-mile dashes. Where races are postponed under this rule, the association shall have the privilege of selecting the order in which events will be raced in any combination program.

**21.09** If the track conditions are questionable for the warming up or racing of horses, the judges shall convene a meeting with the representative of the drivers and trainers and a representative of management. If required by the judges and the representative of the drivers and trainers shall conduct a secret ballot of the drivers and trainers of horses participating in that program of racing to determine whether racing should be conducted. If the vote of the drivers and trainers determines that more than 50% vote against racing, the card shall be cancelled. If more than 50% and less than 75% vote to race, trainers will be allowed to withdraw horses without penalty. If more than 75% vote to race, the regular rules of withdrawal and scratching of horses will apply. The foregoing does not prevent race track management from cancelling the races due to track or weather conditions without consultation with the judges and the horsemen's representative.

**21.10** If qualifying races are postponed or cancelled, an announcement shall be made to the participants as soon as the decision is made.

## Chapter 22

### RACING RULES

**22.01** The pari-mutuel manager shall establish post time for each race and the judges shall call the horses onto the track at such time to allow the horses to

parade and be exhibited before the public but to preclude an excessive delay before the start.

- (a) The time between separate heats of a single race shall be no less than 40 minutes.
- (b) Horses called for a race shall have the exclusive right of the course, and all other horses shall vacate the racing strip as soon as possible.
- (c) In the case of accidents, only so much time shall be allowed as the judges may deem necessary and proper.
- (d) A curfew shall be set at 11:55 p.m., for post time for the last race on any program.
- (e) All sulkies must be equipped with mudguards at all extended meetings when deemed necessary by the judges.
- (f) Horses are required to parade in program order. All horses must remain in proper order until the parade has passed in front of the grandstand. The judges may impose a penalty for a violation of this rule.
- (g) Horses are to be exhibited before the public at least once after the post parade, unless excused by the judges, before going to the post. After being exhibited to the public, the horses shall be gathered by the starter and then immediately moved into their positions behind the gate. Horses may be held on the backstretch not to exceed two minutes awaiting post time, except when delayed by emergency.
- (h) In the event there are two tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier, except as provided for in handicap claiming races. Whenever a horse is drawn from any tier, horses on the outside move in to fill up the vacancy. When there is only one trailer, it may start from any position in the second tier. When there is more than one trailer, they must start from inside any horse with a higher post position.

**22.02** All races must be started with a mobile starting gate of approved design. No person shall be allowed to ride in the starting gate except the starter, the driver and a patrol judge without the permission of the judges. The starting gate must be equipped with two-way communications to the judges' stand and a mechanical loudspeaker to be used for the sole purpose of communicating instructions to drivers. Other use of the loudspeaker is a violation.

**22.03** The starter shall have control of the horses from the formation of the post parade until a start has been determined. For purpose of this rule, the determination of the start is when the horses have passed the starting point and have been released by the starter.

- (a) The horses shall be brought to the starting gate as near one quarter of a mile before the start as the track will permit.

- (b) The starter shall cause the gate to move towards the starting point, gradually increasing the speed of the gate to maximum speed.
- (c) The starting point will be the point marked on the inside rail, a distance of not less than 200 feet from the first turn. The starter shall release the horses at the starting point.
- (d) When a speed has been reached in the course of a start there shall be no decrease, except in the case of a recall.
- (e) The horses shall be deemed to have started when released by the starter at the starting point which will be the official start unless a recall has been sounded and all horses must go the course unless dismissed by the starter or, in the opinion of the judges, it is impossible to do so.
- (f) If, in the opinion of the judges or the starter, a horse is unmanageable or liable to cause accidents or injury to any other horse or to any driver, it may be sent to the barn. When this action is taken, the starter will notify the judges who shall scratch the horse.
- (g) In case of a recall, a light visible to the drivers shall be flashed and a recall sounded. If possible, the starter shall leave the wings of the starting gate open and gradually slow the speed of the gate to assist in stopping and turning the field. Drivers shall take up their horses and return, without delay, to the point where fields are gathered for the start.
- (h) There shall be no recall after the horses have been released by the starter.
- (i) The starter shall endeavour to get all horses away in position and on gait. The starter shall only sound a recall for the following reasons:-
  - (i) A horse scores ahead of the starting gate.
  - (ii) There is interference before the horses have reached the starting point.
  - (iii) A horse has broken equipment, which the starter notices.
  - (iv) A horse falls before the starting point.
  - (v) A horse coming to the starting gate in the wrong position.
  - (vi) A malfunction of the starting gate or in the interests of safety.
- (j) A fine not to exceed \$500. may be applied to any driver by the starter or the judges for:
  - (i) Delaying the start.
  - (ii) Failure to obey the starter's instructions.
  - (iii) Allowing a horse to pass the inside or the outside wing of the gate.
  - (iv) Coming to the starting gate in the wrong position.
  - (v) Crossing over before reaching the starting point.
  - (vi) Interference with another horse or driver during the start.
  - (vii) Failure to come into position or remain in position on the gate when ordered to by the starter.
- (k) The Fair Start Pole is a pole erected at the point approximately ten feet nearer the starting point than the pole 1/16th of a mile before the start. The Fair Start

Pole shall be yellow in colour and shall protrude at least two feet above the inner rail.

- (l) If a horse has not reached the Fair Start Pole when the horses are released at the starting point by the starter, the judges shall cause the "inquiry" sign to be displayed immediately.

**22.04** When, before a race starts:

- (a) A horse is a runaway or a horse falls, such horse shall be examined by the Commission Veterinarian and if the horse is not ordered scratched by the veterinarian, the judges may permit the horse to compete and have this decision announced.
- (b) A driver is unseated and appears to have been injured, the horse that was being driven by that driver may compete with a substitute driver.

**22.05** A driver shall not commit any of the following acts which are considered violations of driving rules:-

- (a) Change course or position, or swerve in or out, or bear in or out during any part of the race in such a manner as to compel a horse to shorten its stride or cause another driver to change course, take his or her horse back, or pull his or her horse out of its stride.
- (b) Impede the progress of another horse or cause it to break from its gait.
- (c) Cross over too sharply in front of another horse or in front of the field.
- (d) Crowd another horse by 'putting a wheel under it'.
- (e) Allow another horse to pass needlessly on the inside, or commit any other act that helps another horse to improve its position.
- (f) Carry another horse out.
- (g) (i) Take up or slow up in front of other horses so as to cause confusion or interference among the trailing horses.  
(ii) Take up or slow up in front of other horses and then subsequently come on when challenged.  
(iii) Maintain an outside position without making the necessary effort to improve his or her overall position.
- (h) Strike or hook wheels with another sulky.
- (i) Lay off a normal pace and leave a hole when it is well within the horse's capacity to keep the hole closed.
- (j) Drive in a careless or reckless manner.
- (k) Fail to set or maintain a pace comparable to the class in which he or she is racing considering the horse's ability, track conditions, weather and circumstances confronted in the race.
- (l) Fail to properly contest a slow pace.
- (m) Conversing with other drivers from the forming of the post parade until released by the starter.

**22.06** A complaint by a driver of any foul, violation of the rules, or other

misconduct during a race shall be made immediately after the race to which it relates, unless the driver is prevented from doing so by an accident or injury or other reasonable excuse. A driver desiring to enter a claim of foul, or other complaint of violation of the rules, shall make this known to the nearest patrol judge and shall proceed forthwith to the paddock telephone to communicate immediately with the judges. The judges shall not cause the official sign to be posted until the matter has been dealt with.

**22.07** A driver shall be guilty of a violation for failure to report any infraction that occurred during a race, or for lodging a complaint which the judges deem to be frivolous.

**22.08** If a violation is committed by a person driving a horse coupled as an entry the judges shall set both horses back if, in their opinion, the violation may have affected the finish of the race, otherwise penalties may be applied individually.

**22.09** In the case of interference, collision, or violation of any rules, the offending horse may be placed back one or more positions in that heat or dash, and in the event of such collisions, interference or violation preventing any horse from finishing the heat or dash, the offending horse may be disqualified from receiving any winnings and the driver may be fined or suspended. If a horse is set back, it must be placed behind the horse with which it interfered. If an offending horse has interfered with a horse involved in a dead heat and the offending horse is set back, it must be placed behind the horses in the dead heat.

**22.10** If the judges believe that a horse is, or has been driven with design to prevent it winning a race or races, they shall consider it a violation by the driver.

**22.11** If the judges believe that a horse has been driven in an inconsistent manner, they shall consider it a violation.

**22.12** If the judges believe that a horse has been driven in an unsatisfactory manner due to lack of effort, they shall consider it a violation.

**22.13** If the judges believe that a horse has been driven in an unsatisfactory manner they shall consider it a violation.

**22.14** If a horse chokes or bleeds during a race, the driver of that horse is required to report this to the judges immediately after the race. This information shall be contained in the official past performance line of that horse.

**22.15** If, in the opinion of the judges, a driver is for any reason unfit or incompetent to drive, or is reckless in his or her conduct and endangers the safety of horses or other drivers in a race, he or she shall be removed and another driver substituted at any time and the offending driver may be fined, suspended or expelled.

**22.16** If for any cause other than being interfered with, or broken equipment, a horse fails to finish after starting a race, that horse shall be ruled out. If it is alleged that a horse failed to finish a race because of broken equipment, this fact

must be reported to the paddock judge who shall make an examination to verify the allegation and report the findings to the judges.

**22.17** (a) A driver must be mounted in the sulky at the finish of the race or the horse must be placed as not finishing.

(b) A horse shall be placed as not finishing where the driver at any time during the running of the race was not mounted in the sulky but was mounted in the sulky at the finish of the race. In such case, the judges may invoke the provisions of rule 22.32 if they deem it in the public interest to do so.

**22.18** Loud shouting or other improper conduct in a race is forbidden.

**22.19** Drivers shall keep both feet in the stirrups during the post parade and from the time the horses are brought to the starting gate and until the race has been completed.

**22.20** Drivers will be allowed to use whips not to exceed four feet and eight inches in length plus a snapper not to exceed eight inches in length.

**22.21** (a) The use of any goading device, or chain, or spur, or mechanical or electrical device other than a whip as allowed in the rules, upon any horse, shall constitute a violation.

(b) The possession of any mechanical or electrical goading device on the grounds of an association shall constitute a violation.

(c) The judges shall have the authority to disallow the use of any equipment or harness that they feel is unsafe or not in the best interests of racing.

**22.22** Brutal or excessive or indiscriminate use of a whip, or striking a horse with the butt end of a whip, or striking a wheel disc of a sulky with a whip, shall be a violation.

**22.23** Whipping a horse by using the whip below the level of the shafts or the seat of the sulky or between the legs of the horse shall be a violation.

**22.24** Any person removing or altering a horse's equipment or hopples without permission of the judges, is in violation of the rules.

**22.25** Any owner or trainer who wishes to change any equipment or hopples on a horse from one race to another shall apply in writing to the judges for permission to do so, and no change shall be made without such permission. The judges shall assure themselves of the necessity for any change of equipment or hopples before granting permission. Any such change as using or not using hopples or a change of a nature which the judges are of the opinion that the public should be advised, must be shown on the program or announced to the public before any wagering occurs on that race.

**22.26** No horse will be permitted in a race to wear any type of equipment that covers, protrudes, or extends beyond its nose or that in any way could interfere with the true placing of the horse.

**22.27** When a horse breaks from its gait in a race the driver shall:

(a) take the horse to the outside of other horses where clearance exists;

- (b) properly attempt to pull the horse to its gait; and
- (c) lose ground while on the break.

If there has been no violation of (a), (b) or (c) above, the horse shall not be set back unless a contending horse on its gait is lapped on the hind quarter of the breaking horse at the finish. The judges may set any horse back one or more places if, in their judgment, any of the above violations have been committed, or if the horse goes on a break for an eighth of a mile or more, and the driver may be penalized.

**22.28** If, in the opinion of the judges, a driver allows a horse to break for the purpose of losing a race, he or she shall be in violation of the rules.

**22.29** It shall be the duty of one of the judges to call out every break made and have them duly recorded in judges official race reports.

**22.30** The horse whose nose reaches the wire first is the winner. If there is a dead heat for first, both horses shall be considered winners. In races having more than one heat or dash, where two horses are tied in the summary, the winner of the longer dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same distance and the horses are tied in the summary, the winner of the faster dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same time, both horses shall be considered winners and the entitlement of the trophy will be decided by lot.

**22.31** The wire or finish line is a real line established with the aid of a surveyor's transit, or an imaginary line running from the centre of the judges' stand to a point immediately across and at right angles to the track.

**22.32** Where the judges determine that, after the horses have been released at the starting point, a horse was prevented from having a fair chance to contest a race due to exceptional circumstances, and it is deemed in the public interest to do so, such horse shall be declared a non-contestant and the provisions of the Race Track Supervision Regulations of the Criminal Code pertaining to refunds shall apply.

**22.33** If, in their opinion, the judges are unable to properly judge the running or finish of a race they may declare the race to be "No Contest". When a race has been declared "No Contest" by the judges, all monies wagered on that race will be distributed in accordance with the provisions of the Race Track Supervision Regulations of the Criminal Code. No charted line or purse distribution is to be made to any of the horses that started in such race except as provided for in Rule 18.09.

**22.34** It is the responsibility of the trainer that all horses racing in his/her custody have a negative Coggins' Test Certificate. The certificate, properly identifying the horse, must have been issued by a laboratory approved by Agriculture Canada, certifying that within the prior 12 months the horse has been tested negative for equine infectious anemia (EIA). For racing purposes, proof of a

negative Coggins' Test may be one of the copies of the stamped and signed serum test reports presented to the race secretary before the horse starts. If at that time it is determined that a horse already declared to race does not have proof of a negative Coggins' Test, the horse shall be permitted to contest the race and immediately thereafter the judges shall place the horse on the Judges' List. The horse shall not race thereafter until such time as proof of a negative Coggins' Test is presented to a Canadian Trotting Association representative.

**22.35** If during the preliminary scores or during a race a driver is unseated in such a manner that he or she falls to the ground, the judges may direct the driver to report to the infirmary or to the emergency department of the nearest hospital for examination and receive written clearance to continue with driving assignments on that day of racing.

**22.36** If a horse is to warm up it must go its last warm-up mile on the same racing strip as it will compete on unless excused by the judges.

**22.37** If a horse is scratched in error and cannot be added back into the pari-mutuel system, the horse shall be scratched unless the race is an added money event. In the case of added money events, the horse may race for purse only. The judges shall ensure that the race announcer informs the public that the horse will be racing without pari-mutuel wagering.

## Chapter 23

### PROTESTS

**23.01** A protest is an objection charging that a horse is ineligible to a race, alleging improper nomination or declaration of a horse, or citing any act of an owner, trainer, driver or official prohibited by the rules and which, if true, would exclude the horse or driver from the race.

**23.02** Protests must be made no later than 15 days following the race in question and must contain at least one specific charge which, if true, would prevent the horse from competing in the race or from winning purse money. The judges may require that protests be reduced to writing and sworn to. If more than 15 days have passed since the race was run, no adjustments shall be made to purses or placing or records in the races contested after that time other than for positive tests. Notwithstanding the above, the Commission may review any allegation, at any time, that a horse was ineligible and take what action they deem appropriate against the owner, trainer, driver or race secretary who declared the horse or allowed the horse to be declared and to race.

**23.03** Every protest shall be determined by the judges. Should the protest not be determined prior to the race, the horse shall be allowed to race under protest. Any purse money that may be affected by the outcome of the protest shall be held by the association pending the judges' decision.

**23.04** When a protest has been duly made it shall not be withdrawn or surrendered without approval of the judges.

**23.05** Any person found guilty of making a protest falsely or without cause shall be liable to a fine, or suspension, or expulsion.

**23.06** If the placings of a race are altered as a result of a protest, purse money for the race shall be distributed according to the decision made on the protest. The eligibility of horses involved in protests that may participate in subsequent races pending determination of the protest is not affected.

**23.07** Rulings on protests which affect purse money or order of finish after the race was declared official shall have no effect on the distribution of pari-mutuel pools.

## **Chapter 24**

### **APPEALS**

**24.01** An appeal is a request to review any decisions or rulings of the judges or delegated officials. An appeal may deal with placings, penalties, interpretations of the rules, or other questions dealing with the conduct of racing. Appeals shall lie to:

- (a) The Commission, if the rules so specify or if the decision imposes a fine of \$500. or more or a suspension of 30 days or more or from a decision of the Ontario Racing Industry Board of Appeal;
- (b) The Ontario Racing Industry Board of Appeal, if the decision imposes a fine of less than \$500. or a suspension of less than 30 days, except that the Commission may hear such appeals on the order of the Director and with the consent of the Appellant.

The persons appointed from time to time to the Ontario Racing Industry Board of Appeal may be recommended by the racing industry and approved by the Commission.

**24.02** The procedures, practices and policies of the Ontario Racing Industry Board of Appeal will be as set out by the Commission and in accordance with the Statutory Powers Procedures Act R.S.O. 1980.

**24.03** An appeal lodged in accordance with Rule 24.01 must be based upon a specific charge which, if true, would warrant modification or reversal of the decision. As a result of hearing an appeal, the Commission or the Board of Appeal may uphold, rescind, modify or increase any penalty imposed. After due notice, any appellant who fails to appear at the hearing of his or her appeal without good cause may be fined or suspended.

**24.04** Notice of intent to appeal to the Board of Appeal or the Commission must be given to the judges or to the Secretary-Treasurer of the Commission within 48 hours of receipt of notice of the decision or ruling being appealed. A

further eight days is accorded to file the appeal with the judges or the Secretary-Treasurer of the Commission. All appeals shall be in writing and must be completed upon a form furnished by the Commission.

**24.05** Purse money affected by an appeal shall be held by the association pending disposition.

**24.06** Pending disposition of an appeal, all penalties imposed shall continue in full force and effect except when stayed by order of the Director.

**24.07** The official performance records shall reflect the judges' decision in all cases until all appeal procedures and remedies are exhausted. The eligibility of horses to the conditions of races will be in accordance with the judges' decision as shown in the official performance records and will not be subsequently affected by the outcome of the appeal process. Whatever the final outcome of the appeal, the horse cannot be retroactively declared ineligible to races already contested prior to the appeal decision.

**24.08** The Board of Appeal shall have the power to levy costs wholly or in part to the appellant, but such costs shall not exceed \$300.

**24.09** A ruling of the Board of Appeal or the Commission which affects the distribution of purse money or order of finish of a race after the race had been declared official shall have no bearing on the distribution of pari-mutuel pools.

**24.10** Decisions rendered by the Board of Appeal may be further appealed to the Commission. The notice and filing of the appeal is to be as outlined in 24.04.

**24.11** At the conclusion of an appeal to the Commission, the Commission may uphold, rescind, modify or increase any penalty imposed by the Board of Appeal, the judges or delegated official, and may assess costs not to exceed \$300.

## **Chapter 25**

### **DRIVERS**

**25.01** A person shall not drive a horse in any race or performance against time, other than an exhibition race, without having first obtained a driver licence valid for the current year by meeting the standards as laid down by the Canadian Trotting Association or the United States Trotting Association and being licensed by the Commission. The licences shall be presented to the judges prior to participating for the first time at any race meeting. Valid categories of licences are:

- (a) "A", a full general licence valid for all meetings;
- (b) "B", an apprentice licence valid for all meetings, subject to satisfactory performance;
- (c) "C", a beginner's licence valid for non-extended meetings and for qualifying and overnight races at extended meetings, subject to the approval of the judges;
- (d) "F", a fair licence valid for non-extended meetings and fairs;

(e) "P", a probationary licence valid for all meetings in accordance with the terms of the probation.

Failure to comply with this rule shall constitute a violation by the participant.

**25.02**

- (a) Drivers must carry their licence on their person at all times while participating. Failure to do so is a violation.
- (b) The judges may review the performance of a driver at any time and may take the following actions:
- (i) amend the licence category;
  - (ii) revoke the licence;
  - (iii) apply conditions to the licence, or
  - (iv) require the driver to re-qualify for his or her licence in accordance with the Canadian Trotting Association regulations.
- (c) All rulings issued by the judges under Rule 25.02(b) may be appealed to the Ontario Racing Industry Board of Appeal. Notice of Appeal is to be lodged in accordance with Rule 24.04.

**25.03** Drivers must report to the paddock judge at least one hour before post time of any race in which they are programmed to drive, unless excused by the judges. When programmed to drive in any race that is part of the "Daily Double" races, drivers must be in the paddock at least one hour before post time of the race which comprises the first half of the "Daily Double", unless excused by the judges. Where advanced wagering takes place on any feature betting race, drivers programmed to drive in such races must make their presence known to the paddock judge prior to commencement of the advanced wagering.

**25.04** Drivers must wear distinguishing colours, and shall not be permitted to drive in a race or other public performance unless, in the opinion of the judges, they are properly dressed, their driving outfits are clean and they are well groomed. During inclement weather conditions, drivers must wear rain suits in either of their colours or made of a transparent material through which their colours can be distinguished.

**25.05** A driver cannot decline to be substituted by the judges. Any driver who refuses shall be suspended and may be fined.

**25.06** A driver shall not enter the public stands or the betting area until their driving duties for the day have been completed and only then after they have replaced their driving outfits with ordinary clothing.

**25.07** The judges may remove a driver at any time if, in their opinion, his or her driving would not be in the best interests of harness racing.

**25.08** A driver shall not drive for any other person in a race in which one of the horses he or she trains or owns has been declared into race, except where such horses are coupled as an entry.

**25.09** Drivers shall fulfil all engagements, unless excused by the judges.

## Chapter 26

### TRAINERS AND GROOMS

**26.01** A person shall not train horses, or be programmed as trainer of record at extended meetings, without first having obtained a trainer licence valid for the current year by meeting the standards for trainers, as laid down by the Canadian Trotting Association or the United States Trotting Association and being licensed by the Commission. The holder of a driver's licence issued by the Canadian Trotting Association or the United States Trotting Association is entitled to all privileges of a trainer and is subject to all rules respecting trainers. Valid categories of licences are:

- (a) "A", a full licence valid for all meetings and permitting operation of a public stable.
- (b) "F", a licence restricted to the training of horses while owned by the holder and/or his or her immediate family at all race meetings.

**26.02** A trainer shall be responsible at all times for the condition of all horses trained by him or her. No trainer shall start a horse or permit a horse in his or her custody to be started if he or she knows, or if by the exercise of reasonable care he or she might have known, or have cause to believe that the horse was not in a fit condition to race, or has received any drug that could result in a positive drug test. Every trainer must guard, or cause to be guarded, each horse trained by him or her in such a manner and for such period of time prior to racing the horse so as to prevent any person from administering any drug resulting in a positive test. Every trainer must also protect the horse and guard it against wrongful interference or substitution by anyone in connection with the taking of an official sample. (See also 9.09)

**26.03** Failure by a trainer to protect a horse and guard it against wrongful interference or substitution in connection with the taking of a urine sample will result in the trainer being held responsible for the wrongful interference or substitution.

**26.04** If a trainer is to be absent from the track where his or her horses are participating in races, he or she must ensure that a competent and reliable licensed participant is substituting during his or her absence. The original trainer is responsible for the horses he or she has declared in to start and the substitute trainer will then become responsible for any additional horses the licensed substitute may declare to start.

**26.05** When the judges decide that someone other than the officially named trainer of record is actually in charge, custody of, or in care of a horse, the judges shall have the right to hold such person responsible instead of, or in addition to, the person named as trainer of record.

**26.06** A person shall not represent himself or herself to be the trainer of a horse unless he or she is actually training that horse.

**26.07** The trainer of record of a horse shall be responsible to ensure that any person he or she delegates or permits to take the horse on the track for a warm-up before a race is capable and competent to perform these duties.

**26.08** Whenever a trainer is suspended under any provisions of the rules, any horse trained by him or her or under his or her care, but not owned wholly or in part by him or her, may, with the consent of the judges at that meeting, be released to the care of another licensed trainer and may race.

**26.09** Applicants for groom licences must be bona fide grooms and must have their status confirmed by the trainer actively utilizing their services. A person under 10 years of age will not be issued a groom licence.

**26.10** It shall be the responsibility of a trainer to determine that every assistant trainer or groom employed by him or her during a meeting is licensed for the current year by the Commission and, if applicable, licensed by the Canadian Trotting Association for insurance purposes.

**26.11** It shall be the responsibility of a trainer to refuse employment to any person required to be licensed when he or she has reason to believe that the person has not been licensed by the Commission or the Canadian Trotting Association, where applicable. He or she is required to report the circumstances to the judges. A fine may be imposed for a violation of this rule.

**26.12** It shall be the responsibility of a trainer to have the horses under his or her care, and which are programmed to race, properly equipped and in the paddock at the time prescribed at that track.

**26.13** A trainer shall not start a horse or permit a horse in his or her custody to be raced if he or she knows or if by the exercise of reasonable care he or she might have known or have cause to believe that the horse is not physically fit to race. When a trainer believes that a horse is not physically fit to race, it is his or her responsibility to have the horse checked by a veterinarian and have that veterinarian certify that the horse is unfit to race and present such certification to the Commission veterinarian.

**26.14** The trainer of record of a horse declared to race is responsible for the eligibility of the horse.

**26.15** The trainer of record of a horse shall be a licensed trainer who has the day-to-day care and or custody and or control of the horse and is responsible for the training, allocation or direction of training duties at the stable.

## Chapter 27

### OWNERS

**27.01** An owner is the full owner, part owner, lessor, or lessee of a registered standardbred horse that has qualified or has been programmed to race at an Ontario raceway within the preceding six months.

**27.02** An owner, lessor, lessee or stable member shall not have any interest whatsoever in any horse declared to race without first having obtained a licence valid for the current year from the Commission.

**27.03** Owners, lessors, lessees or stable members of horses competing on the date of the race shall be entitled to admission to the paddock. An owner once admitted to the paddock and having left, may only be re-admitted if he or she has a horse competing in a later race.

## Chapter 28

### RACING, FARM, CORPORATE OR STABLE NAME

**28.01** Stable names, multiple ownerships and estates may be licensed to race provided the stable name, multiple ownership or estate is first registered with the Canadian Trotting Association or the United States Trotting Association and licensed by the Ontario Racing Commission.

Where the owner of a horse is a stable name, multiple ownership or an estate, the following persons must apply for and be granted licences:

- (a) in the case of a corporation with less than 10 shareholders:
  - (i) the corporation,
  - (ii) every director, and
  - (iii) every shareholder;
- (b) in the case of a corporation with 10 or more shareholders, but less than 50:
  - (i) the corporation,
  - (ii) every director, and
  - (iii) every shareholder holding or controlling a number of shares giving him or her 20 percent or more of the voting rights in the corporation;
- (c) in the case of a corporation with 50 or more shareholders or which is registered with a Canadian stock exchange:
  - (i) the corporation,
  - (ii) every director or every member of the executive committee of the board of directors,
  - (iii) every person acting as chairperson, secretary or holding a similar office,
  - (iv) the person responsible within the corporation for the activities for which the licence is required, and

- (v) every shareholder holding or controlling a number of shares giving him or her 10 percent or more of the voting rights in the corporation;
- (d) in the case of a general partnership:
  - (i) the partnership, if 5 or more partners,
  - (ii) the manager or any person holding a similar office, and
  - (iii) every partner;
- (e) in the case of a limited partnership:
  - (i) the limited partnership,
  - (ii) the general partner and where the general partner is a corporation or a general partnership, the persons covered by sub-sections (a), (b), (c) and (d) of this section, and
  - (iii) the manager or the general partner or any person holding a similar office;
- (f) in the case of a registered stable name:
  - (i) the stable name, and
  - (ii) the owner or owners of the stable;
- (g) in the case of an estate,
  - (i) the estate, and
  - (ii) the executors of the estate;
- (h) the foregoing provisions of this section do not apply with respect to any shareholder of a corporation, to a maximum of 2 shareholders per corporation, not otherwise in violation of this rule, if each of the one or two such shareholders:
  - (i) legally holds shares in a corporation merely in order to meet the statutory requirements of the jurisdiction in which the corporation is incorporated and otherwise has no beneficial interest in the corporation, or
  - (ii) is not an active participant in the management of the affairs of the corporation, apart from being a director, or
  - (iii) holds less than one 1 percent of the issued and outstanding shares of the corporation.

**28.02** Any liability of a registered stable, multiple ownership or estate and any penalty imposed upon it shall apply to all of the members or shareholders required to be licensed under Rule 28.01 and/or any horse owned wholly or in part by the stable, multiple ownership or estate.

**28.03** Any suspension of a participant required to be licensed under Rule 28.01 will include any horse owned wholly or in part by the stable, multiple ownership or estate.

## Chapter 29

### RACE SECRETARY

**29.01** The race secretary shall:

- (a) receive and keep safe in his or her custody any documents required to permit

- a horse to compete at the race meet or stabled on the grounds owned or cared for by the association and return same to the owner or representative upon request;
- (b) be familiar with the age, class and competitive ability of all horses racing at the meeting;
  - (c) classify and reclassify horses in accordance with the rules;
  - (d) write conditions and schedule the racing programs to be presented at the race track and post same not less than 24 hours before declarations close;
  - (e) provide for the listing of horses in the racing program, examine all entry blanks and declarations and verify all information set forth therein; select the horses to start and the "also eligible" horses from the declarations in accordance with the rules governing these functions;
  - (f) examine nominations and declarations in early closing, late closing, futurity and stake events; verify the eligibility of all declarations and nominations and compile lists thereof for publication;
  - (g) establish standards and allowances for horses in accordance with commission and track rules and display such information in the judges' office, the racing office, on condition sheets and on the racing program;
  - (h) ensure that no one other than officials and those assisting the race secretary are permitted in the office during the taking and sorting of entries;

## Chapter 30

### STARTER

**30.01** The starter shall

- (a) be appointed by the association;
- (b) be subject to the supervision of the judges;
- (c) be in the starting gate 15 minutes before the first race;
- (d) have control over the horses from the formation of the post parade until the field is released at the starting point;
- (e) notify the judges of all violations of the rules, giving detailed information thereof.

**30.02** The starter may situate the starting gate in accordance with the instructions of the judges and fulfil the function of a patrol judge in accordance with rule 33.01.

**30.03** The starter shall advise the judges of all horses ordered to be schooled behind the starting gate. The judges shall place such horses on the Judges' List and these horses shall not be permitted to be declared to race until removed from the list by the request of the starter.

## Chapter 31

### CTA FIELD REPRESENTATIVE

**31.01** A Canadian Trotting Association field representative shall:

- (a) represent the Canadian Trotting Association during at least two consecutive hours to provide services to racing participants.
- (b) Input to and maintain accurately the Canadian Trotting Association data base, including:
  - (i) adding Foreign horses to the data base when racing for the first time at tracks in Ontario;
  - (ii) recording racelines not already on the data base, immediately upon receipt of same;
  - (iii) inputting changes of ownership to the data base, necessitated by claims and transfers;
  - (iv) inputting change of sex information for horses to the data base;
  - (v) inputting all race results and printing reports for all types of races to the data base as soon as they become available, and providing reports to the judges and the chart maker for proofreading and verification by the judges before completion of the program;
  - (vi) inputting Coggins' Test information from laboratory certificates and removing horses from judges' list if required, immediately upon receipt of such test result;
  - (vii) updating and maintaining Judges' List, on the written instruction of a judge;
  - (viii) inputting requests for first-time starters and maintaining individual track files of such requests and requests for hard-copy certificates;
  - (ix) insuring eligibility of first-time starters by adding same to electronic eligibility system;
  - (x) inputting suspensions to the data base, and removing same upon written request of a judge; and
  - (xi) updating hard-copy eligibility certificates for horses required to race with same.

## Chapter 32

### PADDOCK JUDGE AND EQUIPMENT INSPECTOR

**32.01** The paddock judge shall:

- (a) under the direction and supervision of the judges, have complete charge of all paddock activities;
- (b) get the fields on the track for post parades in accordance with the schedule given by the judges;

- (c) inspect horses for changes in equipment, broken or faulty equipment, head numbers and saddle pads;
- (d) be responsible for the equipment inspector who shall keep a record of the equipment and harness worn by every horse racing at the meeting. The equipment and harness worn by every horse shall be checked in the paddock against such records before each race. All changes from the previous race shall be noted and the judges notified if a written authorization on the prescribed form is not presented for any change of equipment;
- (e) supervise paddock security guards;
- (f) check horses and drivers in and out;
- (g) direct the activities of the paddock blacksmith;
- (h) immediately notify the judges of anything that could in any way change, delay or otherwise affect the racing program;
- (i) see that only properly authorized persons are permitted in the paddock;
- (j) supervise the identification of horses in the race which shall include verifying the tattoo or freeze brand number;
- (k) inspect and supervise the maintenance of all emergency equipment kept in the paddock;
- (l) notify the judges of the reason for any horse returning to the paddock after having entered the track for the post parade and before the start of the race;
- (m) notify the judges of all drivers, trainers and grooms who leave the paddock in an emergency;
- (n) supervise and maintain cleanliness of the paddock;
- (o) supervise the conduct of all participants in the paddock and report any rule violations or abuses to the judges;
- (p) report any observed cruelty to a horse;
- (q) submit all paddock reports and attendance records to the judges on request. Such reports and records must be retained for twelve months; and
- (r) ensure that all entrances and exits to the race track are closed before the starter calls the field to the post.

**32.02** A record shall be maintained indicating the names and times of entry and departure of all persons admitted to the paddock. The persons entitled to admission to the paddock area are:

- (a) owners, lessees, trainers, drivers or grooms of horses which have been summoned to the paddock;
- (b) officials whose duties require their presence in the paddock; and
- (c) other persons authorized by the judges or the Commission.

**32.03** Once admitted to the paddock, drivers, trainers, grooms or horses in their care shall not leave the paddock other than to warm up the horses or until the races for which the horses were admitted are completed. In the event of an

emergency, they may leave the paddock but only with the permission of the paddock judge, in which case a written record shall be made thereof.

**32.04** No more than two members of a registered stable, in addition to the trainer, driver and groom shall be entitled to admission to the paddock on any racing day, except by permission of the judges.

**32.05** The post parade from the paddock shall commence at a time designated by the judges. The paddock judge shall cause all horses in a race to be formed in a parade line in the programmed order. Such horses shall be attended by their drivers unless specifically excused by the paddock judge. All horses in a race shall parade in front of the grandstand not later than five minutes before post time, unless excused by the judges.

**32.06** It shall be the duty of the paddock judge to report to the judges any equipment or harness which he or she considers dangerous or unsafe or not in the best interests of racing.

**32.07** The paddock is a secure area for the period beginning two hours before post time and ending one hour after the last race. After a horse has entered the paddock, parenteral or oral medication of that horse is strictly prohibited whether the medication is on the prohibited list or not.

## **Chapter 33**

### **PATROL JUDGES**

**33.01** An association shall appoint:

- (a) two patrol judges if the association is designated by Agriculture Canada, Race Track Supervision Branch, as a "C" class raceway and is served by one pan video camera, or
- (b) one patrol judge if the Association is designated by Agriculture Canada, Race Track Supervision Branch, as an "A" or "B" raceway and is served by one or two video camera towers in addition to a pan camera.

In all cases the patrol judge will be strategically located by the judges. The starter may, with the permission of the judges, be designated as a patrol judge. Further the starter may, when acting as a patrol judge, follow the field in the starting gate, weather and track conditions permitting.

**33.02** The patrol judges shall:

- (a) be subject to the supervision of the judges;
- (b) be observant of and report to the judges on all activity on the race track in their areas at all times during the race program. Particular attention to be applied to the rules of decorum, lameness and fitness of any horse, and any lack of or broken racing equipment; and
- (c) be in constant communication with the judges during the course of every race and immediately advise of every rule violation, improper act or unusual

occurrence which happens within their station that could affect the result of the race.

## Chapter 34

### CHART MAKER

**34.01** An association shall appoint at least one chart maker who shall be responsible for properly and accurately completing the official chart by doing the following:

- (a) Reporting to the judges' stand at least one-half hour before first post-time, and proof-reading each chart against the program, noting program changes, and changes made subsequent to the printing of the program.
- (b) Accurately recording the following information on the chart, regardless of type of race, and providing the completed chart to the judges for verification and approval and also checking with the Canadian Trotting Association field representative after he/she has had the opportunity to input the chart information to the data base for error checks within the chart, for each race and making corrections as required:
  - (i) date, place, and size of the track, if other than one-half mile;
  - (ii) symbol for free-legged pacers and hopped trotters;
  - (iii) track condition, track variant (in increments of full seconds), distance of race, temperature;
  - (iv) claiming prices;
  - (v) post positions, position at the one-quarter, one-half, three-quarter, and stretch, with lengths behind the leader at each call;
  - (vi) at the completion of each race, determine from the photo-finish film the individual time and beaten lengths of each horse by using the formula of one-fifth of a second per length. Separations such as nose, neck, one-quarter, and one-half length do not signify one-fifth of a second difference, but separations of three-quarters of a length signify one-fifth of a second (the same as one full length);
  - (vii) closing dollar odds and wagering information such as betting favourite, mutuel field, mutuel entry, etc.;
  - (viii) for qualifying and schooling races, notation is to be made for individual horses subjected to urine or blood tests, using indicator 'TE' with the dollar odds;
  - (ix) name of driver;
  - (x) name of trainer;
  - (xi) names of horses placed first, second, and third by the judges;
  - (xii) the standard symbols for breaks, interferences, and parked-outs, where applicable;

- (xiii) explanations of placings and disqualifications in 'comments' section of official chart; and
- (xv) wagering pools and pari-mutuel pools and payoffs.

## Chapter 35

### COMMISSION DIRECTIVES

**35.01** The following directives were in effect December 31, 1986:

**(a) GENERAL DIRECTIVES**

**(i) TRIACTOR WAGERING:**

**CONDITIONS:**

**All Racing Associations**

1. Violation of any of the conditions in this directive may result in the loss of triactor wagering privileges by an offending association.
2. Coupled or uncoupled entries are not permitted in triactor races.
3. Associations shall endeavour to conduct triactor wagering on races featuring the better class of horses participating at that track.
4. Racing associations must provide an adequate communication system to ensure a quick relay of information from sensitive areas to the stewards'/judges' stand.
5. Racing Associations, on notice from the stewards or judges, shall investigate any racing improprieties that may have occurred in the running of a race and take whatever action is feasible to properly identify persons cashing pari-mutuel tickets on that particular race.

**Standardbred Racing Associations**

1. Triactor wagering shall not be permitted on races where less than eight horses are programmed to start and identified in the post parade.
2. An association may designate its triactor features if at least eight horses are programmed to start and two also eligible are listed in the daily race program.
3. If an association does not meet condition (2), the judges and Race Track Supervision officials shall decide on the triactor feature(s) and shall ensure that their decision pertaining to the races with triactor wagering is conveyed to the patrons over the public address system before triactor wagering commences.
4. Associations shall ensure that paddock security is maintained and participants entering and leaving the paddock area are recorded and the records retained for a period of one year.

**Thoroughbred Racing Associations**

1. Triactor wagering shall not be programmed on races which have less than 10 separate betting interests.

2. Triactor wagering shall not be permitted on any race where less than eight horses are identified in the post parade.

#### **Approval**

As of this date the following associations are approved for triactor wagering. Any change from the previously approved number of triactor features for race day will require a written application for and must have Commission approval prior to implementation.

Ontario Jockey Club (all tracks)	Kawartha Downs Raceway
Windsor Raceway	Kingston Park Raceway
Flamboro Downs Raceway	Dresden Raceway
Western Fair Raceway	Elmira Raceway
Rideau Carleton Raceway	Leamington Raceway
Orangeville Raceway	Woodstock Raceway
Sudbury Downs Raceway	Hanover Raceway
Barrie Raceway	Clinton Raceway

#### **(ii) TRACK CLASSIFICATIONS AND RACE TRACKS TAX SHARING ARRANGEMENT**

Class I	Greenwood Windsor Mohawk Flamboro	Tracks whose average daily handle is in excess of \$250,000.00
Class II	Western Fair Rideau Carleton Orangeville	Tracks whose average daily handle is in excess of \$125,000.00 but under \$250,000.00.
Class III	Kawartha Downs Sudbury Downs Barrie Kingston Park Dresden Elmira	Tracks which race in excess of 35 days annually whose average daily handle does not exceed \$125,000.00.
Class IV	Belleville Woodstock Clinton Hanover Goderich Leamington	Tracks which race less than 35 days annually

Effective April 1, 1986 the Commission directs that, in 1986-87, all Class I, II, III and IV standardbred raceways and the Ontario Jockey Club thoroughbred tracks will be eligible to receive supplemental purse grants provided that, on or before March 31st, 1986 a valid contract, with a purse undertaking, is in force for the

1986/87 grant year between the racing association and a horsemen's association, recognized by the Commission. If circumstances are such that a valid contract is not in force as of March 31st, 1986, for the 1986/87 grant year, a racing association may be deemed eligible to receive supplement purse grants if it submits a written undertaking, to the Commission on or before April 1st, 1986, stipulating that pending finalization of a contract for the 1986/87 grant year with a horsemen's association recognized by the Commission, it will continue to pay purses for the 1986/87 grant year based on the same terms and conditions of the prior year's contract.

#### **Supplemental Purse Grants:**

The conditions which apply to the issuance of supplemental purse grants are as follows:

- (a) Supplemental purse grants are to be applied to races during the calendar year commencing January 1, 1986 and ending December 31, 1986.
- (b) Supplemental purse grants are to be applied to purses in accordance with the provisions of purse undertakings between the racing associations and horsemen's associations recognized by the Commission.
- (c) Supplemental purse grants for the calendar year January 1, 1986 to December 31, 1986 will be forwarded out automatically in installments during the period April 1 to December 31.
- (d) Statistical and financial data reports, supplied by the Commission, are to be filed within 30 days of December 31, 1986 covering the calendar year January 1, 1986 to December 31, 1986.
- (e) Payment of the daily portion of the supplemental purse grants shall be based on the actual number of days raced in the preceding calendar year.
- (f) Supplemental purse grants will be subject to audit by auditors nominated by the Commission on a post audit basis.

#### **(iii) DAILY PROGRAM FEES**

Program fees are based on the daily wagering average for the previous calendar year or the last calendar year the the track raced prior to 1986. The following fee schedule will be in effect through March 31, 1987:

##### **Thoroughbred Daily Track Fees:**

Daily Wagering Average	0	-	500,000	Daily Fee	\$650.00
Daily Wagering Average	500,001	-	1,000,000	Daily Fee	\$675.00
Daily Wagering Average	Over	-	1,000,000	Daily Fee	\$700.00

##### **Standardbred Daily Track Fees:**

Daily Wagering Average	0	-	100,000	Daily Fee	\$300.00
Daily Wagering Average	100,001	-	150,000	Daily Fee	\$350.00
Daily Wagering Average	150,001	-	250,000	Daily Fee	\$375.00

Daily Wagering Average	250,001	-	500,000	Daily Fee	\$475.00
Daily Wagering Average	500,001	-	750,000	Daily Fee	\$525.00
Daily Wagering Average	750,001	-	1,000,000	Daily Fee	\$575.00
Daily Wagering Average	Over	-	1,000,000	Daily Fee	\$625.00

**(iv) RACE TRACK LICENCE APPLICATIONS**

The Ontario Racing Commission, in accordance with Section 11(f) of the Racing Commission Act R.S.O. 1980, Chapter 429 by unanimous ruling directed that, effective January 1, 1983, all racing associations granted racing dates in the Province of Ontario and all applicants proposing to construct new race tracks or applying for racing dates not previously approved for race tracks in the Province of Ontario, must file an application for Race Track Licence together with the Personal History Reports and Financial Statements which form part of the application. The applications for Race Track Operators' Licence must be filed by January 31 each year for those racing associations granted racing dates by the Commission and in the case of applications for new race tracks or new racing dates, the completed forms must be in the hands of the Commission prior to any consideration being given by the Commission to the approval of racing dates or to the issuance of a licence.

The issuance of any licence to operate a race track is subject to:

The Racing Commission Act R.S.O. 1980.

The conditions contained in the Application for Race Track Licence;

The Rules, Regulations, and Directives of the Ontario Racing Commission;

The applicants agreeing to abide by the Rules, Regulations and Directives of the Ontario Racing Commission.

**(v) Re: Racing Associations — Financial Reporting**

"Effective April 1st, 1986 each racing association must submit a monthly financial statement to be received by the Ontario Racing Commission no later than the 30th day of the following month. These monthly financial statements are to be submitted regardless of whether or not the track is operating. The statements are to be forwarded to the Secretary-Treasurer.

Further, at any time the Ontario Racing Commission may require additional audited financial data from each racing association.

**(b) STANDBRED DIRECTIVES**

**(i) HUMAN DRUG TESTING**

The Ontario Racing Commission at its meeting of October 8th, 1986 resolved that the Rules of Standardbred Racing 1986 be hereby amended by the following changes to the rules effective October 9th, 1986.

Rule 23.10 is hereby in effect as of October 9th, 1986.

The procedure for drug testing shall be as hereinafter specified.

A licensee selected at random shall submit to a urine test and in the presence of, or under the supervision of, a representative of the Commission, shall provide a urine sample in a container provided by the Commission for that purpose. A licensee selected at random who refuses to comply with a request to provide a sample of urine or fails to provide one within a reasonable time after a demand made therefor shall be subject to the penalties specified in Rule 6.38.

Upon completion of the taking of the sample, the approved container containing the sample of urine shall be sealed and tagged on a form approved of and provided by the Commission. The portion of the form forwarded to the laboratory shall contain only a number corresponding to the number on the form retained by the Commission. The portion of the form retained by the Commission shall be signed by the licensee and the Commission representative in attendance at the time the sample was taken. The form shall be signed in the manner provided and the number portion attached to the container at the time the container is sealed. The signed portion of the form shall be retained by the Supervisor of Standardbred Racing.

The laboratory shall test all samples received by it for controlled substances and the laboratory shall forthwith notify the Supervisor of Standardbred Racing and the Director of the Commission when a positive result has been obtained and the number of the form to which such result applies. In the event of a test being positive for fewer than 100 ng per ml. of cannabis or its derivatives, such test shall be deemed a negative test and the laboratory shall not report such test results to the Supervisor of Standardbred Racing.

Upon being notified by the laboratory that a test is positive for a controlled substance the Supervisor of Standardbred Racing shall forthwith determine the name of the licensee and the Supervisor of Standardbred Racing shall notify the licensee. In the event the Supervisor of Standardbred Racing is unable to immediately notify the licensee, the judges shall be contacted by the Supervisor of Standardbred Racing and the judges shall forthwith inform the licensee that the licensee is to contact the Supervisor of Standardbred Racing or in his absence the Director of the Commission.

A licensee who is found to have a positive test with respect to a drug for which he has a valid prescription shall provide the Supervisor of Standardbred Racing with evidence that he has a prescription issued by a licensed medical practitioner relating to that substance.

The cost of the initial test shall be the sole responsibility of the Commission, however, in the case of a positive result, a subsequent test or subsequent tests (until a negative test results) shall be paid for by the licensee required to provide such tests.

Any licensee may be excluded from the random selection process by the Supervisor of Standardbred Racing if that licensee, in the opinion of the Supervisor of Standardbred Racing, has been repeatedly tested in the current year.

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### — X —

NIL

### — Y —

NIL

### — Z —

NIL







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Post  
Postage paid

Postes  
Canada  
Port payé

Bulk  
third  
class

En nombre  
troisième  
classe

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